



# CITY COUNCIL MEETING AGENDA

March 07, 2022 at 7:00 PM

City Hall Council Chambers & Remote Video Conferencing

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**PARTICIPANTS MAY WATCH THE CITY COUNCIL MEETING AT:**  
*City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon*  
**YouTube:** <https://youtube.com/c/CityofWilsonvilleOR>  
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City Recorder - Wilsonville City Hall

29799 SW Town Center Loop East, Wilsonville, OR 97070

**CITY COUNCIL MISSION STATEMENT**

*To protect and enhance Wilsonville's livability by providing quality service to ensure a safe, attractive, economically vital community while preserving our natural environment and heritage.*

**EXECUTIVE SESSION [5:00 PM]**

ORS 192.660(2)(e) Real Property Transactions

ORS 192.660(2)(h) Legal Counsel/Litigation

**ADJOURN [5:25 PM]**

*Break to switch Zoom accounts [10 min.]*

**REVIEW OF AGENDA AND ITEMS ON CONSENT [5:35 PM]**

**COUNCILORS' CONCERNS [5:40 PM]**

**PRE-COUNCIL WORK SESSION [5:45 PM]**

- A. [Frog Pond East and South Master Plan \(Pauly\) \[45 min.\]](#)

**ADJOURN [6:30 PM]**

## **CITY COUNCIL MEETING**

*The following is a summary of the legislative and other matters to come before the Wilsonville City Council a regular session to be held, Monday, March 7, 2022 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10 a.m. on February 22, 2022. Remonstrances and other documents pertaining to any matters listed in said summary filed at or prior to the time of the meeting may be considered there with except where a time limit for filing has been fixed.*

### **CALL TO ORDER [7:00 PM]**

1. Roll Call
2. Pledge of Allegiance
3. Motion to approve the following order of the agenda.

### **MAYOR'S BUSINESS [7:05 PM]**

4. [Upcoming Meetings](#)

### **COMMUNICATIONS [7:15 PM]**

5. [Tualatin Valley Fire & Rescue's State of the District \(Frentess/Myers\)](#)
6. Arbor Villebois CEP Presentation (*Mombert*)

### **CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS [7:45 PM]**

*This is an opportunity for visitors to address the City Council on items **not** on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.*

### **COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS [7:55 PM]**

7. Council President Akervall
8. Councilor Lehan
9. Councilor West
10. Councilor Linville

### **CONSENT AGENDA [8:15 PM]**

11. [Resolution No. 2954](#)

[A Resolution Of The City Of Wilsonville Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Autumn Park Apartments, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc. \(Smith\)](#)

12. [Resolution No. 2955](#)

[A Resolution Of The City Of Wilsonville Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Charleston Apartments, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc. \(Smith\)](#)

13. [Resolution No. 2956](#)

[A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Creekside Woods Limited Partnership, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc. \(Smith\)](#)

14. [Resolution No. 2957](#)

[A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Rain Garden Limited Partnership, A Low-Income Apartment Development Owned And Operated By Caritas Community Housing Corporation. \(Smith\)](#)

15. [Resolution No. 2958](#)

[A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Wiedemann Park, A Low-Income Apartment Development Owned And Operated By Accessible Living, Inc. \(Smith\)](#)

16. [Resolution No. 2960](#)

[A Resolution Of The City Of Wilsonville Supporting A 2022 Grant Application To The Oregon State Parks, Local Government Grant Program For The Trail At The Park At Merryfield Rehabilitation. \(Schull\)](#)

17. [Minutes of the February 24, 2022 City Council Meeting.](#)

**NEW BUSINESS [8:20 PM]**

**CONTINUING BUSINESS [8:20 PM]**

18. [Ordinance No. 854 - 2nd Reading](#)

[An Ordinance Of The City Of Wilsonville Annexing Approximately 9.74 Acres Of Property Located On The West Side Of SW Stafford Road North Of SW Frog Pond Lane Into The City Limits Of The City Of Wilsonville, Oregon; The Land Is More Particularly Described As Tax Lots 100, 300 And 302, And A Portion Of SW Stafford Road Right-Of-Way, Section 12D, Township 3 South,](#)

[Range 1 West, Willamette Meridian, Clackamas County, Oregon. Paul C. Chaney, Janene P. Chaney, Petitioners. \(Bradford\)](#)

19. **[Ordinance No. 855 - 2nd Reading](#)**

[An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5-Acre \(RRFF-5\) Zone To The Residential Neighborhood \(RN\) Zone On Approximately 8.46 Acres On The West Side Of SW Stafford Road North Of SW Frog Pond Lane; The Land Is More Particularly Described As Tax Lots 100, 300 And 302, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Venture Properties, Inc., Applicant. \(Bradford\)](#)

**PUBLIC HEARING [8:25 PM]**

**CITY MANAGER'S BUSINESS [8:25 PM]**

**LEGAL BUSINESS [8:30 PM]**

**ADJOURN [8:35 PM]**

*Time frames for agenda items are not time certain (i.e. agenda items may be considered earlier than indicated). The city will endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting by contacting the City Recorder at [CityRecorder@ci.wilsonville.or.us](mailto:CityRecorder@ci.wilsonville.or.us) or 503-570-1506: assistive listening devices (ALD), sign language interpreter, bilingual interpreter. Those who need accessibility assistance can contact the city by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.*

*Habr  interpretes disponibles para aqu llas personas que no hablan Ingl s, previo acuerdo. Comun quese al 503-570-1506.*



## CITY COUNCIL WORK SESSION STAFF REPORT

<b>Meeting Date:</b> March 7, 2022		<b>Subject:</b> Frog Pond East and South Master Plan	
		<b>Staff Member:</b> Daniel Pauly, Planning Manager	
		<b>Department:</b> Community Development	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable  <b>Comments:</b> The Planning Commission provided a substantial amount of guidance during their February 9 meeting, which is incorporated into the executive summary below.	
<b>Staff Recommendation:</b> Provide requested input regarding affordable housing, accessory dwelling units, and a neighborhood commercial center in the future Frog Pond East and South neighborhoods.			
<b>Recommended Language for Motion:</b> N/A			
<b>Project / Issue Relates To:</b>			
<input checked="" type="checkbox"/> Council Goals/Priorities: Expand home ownership	<input checked="" type="checkbox"/> Adopted Master Plan(s): Frog Pond Area Plan	<input type="checkbox"/> Not Applicable	

### ISSUE BEFORE CITY COUNCIL:

Provide feedback and input on components of the master planning for Frog Pond East and South, specifically regarding affordable housing, accessory dwelling units, and evaluating a neighborhood commercial center. In using the term affordable housing in this context, staff is referring broadly to both market-rate housing that is economically attainable for moderate-income households as well as housing that is subsidized for lower-income households. Where the report refers to a specific sub-set of affordable housing it is indicated.

**EXECUTIVE SUMMARY:**

Following designation of the subject land as an urban reserve in 2010, the City adopted the Frog Pond Area Plan in 2015 to set the stage for additional planning and eventual development to meet identified local housing needs. Besides the urban reserve area, the Frog Pond Area Plan also established a vision for growth for undeveloped land already within the City's Urban Growth Boundary (UGB) now known as Frog Pond West. In 2017, a Master Plan and implementing zoning code was adopted for Frog Pond West. The Master Plan provided the necessary regulatory framework for the residential neighborhood currently under development north of Boeckman Road and west of Stafford Road.

In 2018, Metro expanded the UGB to include the subject land. As part of the Metro Ordinance adopting the UGB expansion, Metro required Wilsonville to complete master planning to make the area development ready, from a regulatory standpoint, by December 2022. Similar to past master planning efforts, such as Villebois and Frog Pond West, this master planning effort will identify the types and locations of the homes, other land uses, parks, open spaces, streets, trails and neighborhood amenities to be built over the next 10-20 years. To support implementation of the plan, the process also identifies water, sewer, stormwater and transportation infrastructure needs and funding sources.

The City Council held their first work session on the master plan in October 2021 focusing on overall project scope and the outreach plan. A second work session in January 2022 asked for initial feedback on the needs and opportunities for affordable housing and housing variety in Frog Pond East and South. The March 7 work session returns to the topic of housing needs in order to obtain further direction from Council following review of the Affordable Housing Analysis (Attachment 1) and Planning Commission feedback. While housing will be the main topic of discussion for this third work session, the project team also seeks initial feedback on an evaluation of a neighborhood commercial center.

**Housing**

As discussed in the previous work session, the affordable housing efforts as part of the Frog Pond East and South Master Plan build upon the Equitable Housing Strategic Plan (EHSP) adopted by the City in June 2020. The EHSP includes a specific action item to define equitable housing approaches in new urban growth areas. The summary of the action item further explains, *“As part of the master planning requirements for Frog Pond East and South, the City will establish goals or targets for accessibility to services/amenities, unit types, and unit affordability levels. The targets for affordability levels (number of units and depth of affordability for those units) should be reasonably achievable, allowing for sufficient market-rate development to support key infrastructure investments. This approach will provide a methodology and framework that can be applied in other growth areas beyond Frog Pond.”*

The Affordable Housing Analysis (Attachment 1) for Frog Pond East and South provides an important tool in fulfilling this action item by presenting information and analysis to assist City decision-makers in setting an informed affordability target for the planning area. This work session will allow the City Council to provide feedback on the analysis and guidance to the project team on the target the City should pursue in Frog Pond East and South.

The conclusion of the analysis proposes an affordable housing target in Frog Pond East and South affordable for households with incomes under 80% median family income (MFI). This is significantly lower than the proportion of the City and region's household makeup at this income level (see Section 5, Attachment 1, beginning on page 11). The expected market-rate demand for the land, coupled with the cost to develop the land, limits the ability of the City and affordable housing providers to purchase or control sites for affordable housing. This reinforces the multi-pronged approach to affordable housing citywide as presented in the EHSP. The City needs to take a variety of actions which individually do not make huge impacts on the housing crisis, but collectively add up to significant progress. Examples of other equitable housing efforts the City has made progress on include the Middle Housing Project, vertical housing tax abatements, and the transit oriented development (TOD) project near the WES Station.

One important factor for the affordable housing target is affordable home ownership, as reflected in the current City Council goals and in comments by the City Council at the January work session. The Affordable Housing Analysis discusses a number of barriers and opportunities to support home ownership for households at different levels of income below 80% MFI. Barriers, beyond those applying to all affordable housing, include a lack of funding, especially federal, for ownership compared to rental programs; difficulty qualifying for mortgages, even with government support, for many households with incomes below 60% MFI; as well as legal and construction financing barriers to condos and co-op housing construction, which are housing types that would likely be most attainable for first-time homebuyers and households with incomes 60-80% MFI. As noted in the analysis, these are difficult barriers to overcome in the short to medium term and are generally beyond the City's control.

Opportunities noted include partnering with home ownership support programs such as community land trusts or Habitat for Humanity and the Homebuyers Opportunity Limited Tax Exemption (HOLTE) program. Additional strategies for the City's consideration that are likely to have the greatest impact in producing housing affordable for low to moderate income households for Frog Pond East and South, include:

- Zone for all housing types
- Acquire land for affordable housing
- Partner with a community land trust
- Waive, reduce, or defer system development charges (SDCs) for income-restricted affordable units
- Incentivize smaller and lower-cost middle housing
- Reduce multi-family parking requirements
- Incentivize housing with accessible or visitable units

Following review of the Affordable Housing Analysis during the February 9 work session, Planning Commission provided feedback for City Council consideration as follows:

- Some Commissioners expressed a desire to see more affordable housing, but Commissioners generally felt the discussed target was the right direction to be both assertive and “reasonably achievable.”
- Commissioners acknowledged land cost is an important consideration in achievability of an affordable housing target.
- Commissioners commented on how the proposed target requires the City to do things it has not done before related to land control and other housing programs. The Commissioners inquired about the need for a City-wide housing program.
- Commissioners suggested the City needs to focus on what it must do to enable the discussed target to be met.
- Commissioners expressed a desire for housing not to be isolated by type, but to have mixed income neighborhoods and blocks throughout Frog Pond East and South.
- Commissioners stated multi-family rental housing is necessary to meet affordable housing targets and meet needs.
- A Commissioner suggested it would be helpful to compare the proposed target with the amount of affordable housing produced in Villebois.
- The Commission supported the list of strategies in the Affordable Housing Analysis.

Another strategy with the potential to provide affordable housing is the production of accessory dwelling units (ADUs). This includes affordable ownership opportunities, because the code updates adopted with the Middle Housing Project allow ADUs to be sold separately from the primary dwelling without going through a condo process. As the accessory dwelling unit memo (Attachment 2) outlines, the City already has policies in place in support of ADUs, including broad allowance of ADUs and waivers of SDC fees. The memo lists the following additional regulatory actions to explore that could further encourage ADU production in Frog Pond East and South and/or elsewhere in the City. City staff has not yet evaluated the feasibility of these actions, but would like the City Council’s feedback on whether to pursue further evaluation and feasibility investigation.

- Provide additional flexibility and exemptions to lot coverage and setbacks for ADUs.
- Allow ADUs with townhouses regardless of lot size. Currently the City code only allows ADUs with townhouses if the townhouse lot meets the minimum lot size for detached single-family units in the zone.
- Allow larger ADUs to provide more options for developers. Example changes could be to match the cottage cluster size of 900 square feet or slightly larger 1,000 square feet. The sizes are still less than would be built as typical single-unit on lot development or 2-unit cluster. However, 800 square feet is a limit consistent across many Oregon jurisdictions.



During their February 9 work session, the Planning Commission generally expressed support of ADUs. This included general support of being more permissive of ADUs integrated into the typical footprint of (i.e. ground floor ADU with a two-story larger unit above). There was some openness to looking at setback changes, but such changes should be specific and strategic. No strong preferences were expressed about expanding the allowed size of ADUs

#### Discussion questions

1. Does the City Council support an affordable housing target in line with that presented in the Affordable Housing Analysis memo? Is it reasonably achievable?
  - If yes, what refinements or additional guidance would the Council suggest?
  - If no, what affordable housing target would the Council recommend and why?
2. Does the proposed affordable housing target appropriately balance affordable rental and ownership opportunities based on what we know about available financing programs and other restraints?
3. Does the City Council agree the proposed affordable housing strategies help achieve desired housing outcomes and should be further pursued (Section 6, Attachment 1, beginning on page 21)? What is City Council's guidance, if any, for further refining these strategies?
4. Should the City pursue and refine any or all of the additional regulatory actions related to ADUs listed in Attachment 2? Are there any concerns with these actions?

#### **Neighborhood Commercial (Preliminary Feedback)**

The 2015 Frog Pond Area Plan presented the idea of a neighborhood commercial center in Frog Pond East. Part of the scope of the Frog Pond East and South Master Plan is to further evaluate a neighborhood commercial center. The evaluation includes size, location, types of potential retail, and whether to have residential above the retail. The Area Plan specifically calls for the location and level of mixed-use residential to be further evaluated. The size and type of retail is also necessary to evaluate to identify the amount of land to designate for this use in the plan. The Neighborhood Commercial Evaluation: Initial Feedback slide deck (Attachment 3) provides background and an overview of the intended evaluation.

At their February 9 work session, Planning Commission offered a few initial thoughts on the commercial center. The Commission expressed benefits of pass-by traffic and a desire for it to be located near and accessible to existing homes, and thus, a general preference for the corner location at Advance and Stafford. They remarked the importance of traffic and access considerations. Overall, the Planning Commission expressed a desire to make a thorough evaluation to make sure the neighborhood commercial center is done right.

The project team has the following questions for the City Council to get initial feedback and direction as the evaluation begins. The next City Council work session in May will provide more information and solicit additional feedback.

Discussion questions:

1. What thoughts does the City Council have on overall purpose and vision of the commercial center to provide small scale retail and be a community gathering place? Anything the City Council would suggest adding?
2. The location at the corner of Advance and Stafford is not set. What thoughts does the Council have about location of the commercial center? What should be considered in determining planned location?
3. What additional items does the City Council want included in the upcoming commercial center evaluation beyond (1) location, (2) size of retail, (3) type of retail, and (4) evaluation of mixed-use residential with retail?

**EXPECTED RESULTS:**

City Council guidance on affordable housing in Frog Pond East and South to guide development of land use alternatives and exploration of affordable housing strategies. Also, initial City Council guidance on planning work around a neighborhood commercial center in Frog Pond East and South.

**TIMELINE:**

This is the third in a series of work sessions for the City Council. The next work session is planned for May. Most components of the project must be adopted by December 2022.

**CURRENT YEAR BUDGET IMPACTS:**

The main consultant contract is for \$350,000 funded through a Metro grant. An additional \$81,000 is funded by a grant from the Oregon Department of Land Conservation and Development. Work began during FY 20/21. Unused portions have been rolled over and the City anticipates spending \$170,000 by the end of FY 21/22. The remaining \$261,000 is planned to be budgeted during FY 22/23 to conclude the project.

**COMMUNITY INVOLVEMENT PROCESS:**

The project has a community engagement plan which lays out a robust public engagement program that will include meaningful and impactful involvement of people who identify with historically marginalized communities. In addition, City staff continues work with consultants and the Diversity, Equity and Inclusion (DEI) committee to establish a framework for broad community involvement.

**POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

Well-designed neighborhoods with a variety of housing options for current and future Wilsonville residents.

**ALTERNATIVES:**

At this early point in the project, the City Council may provide a range of alternatives for the project team to consider.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

1. Affordable Housing Analysis Memo from EcoNorthwest (January 31, 2022)
2. Accessory Dwelling Unit Memo from EcoNorthwest (January 31, 2022)
3. Neighborhood Commercial Evaluation: Initial Feedback slide deck on neighborhood commercial evaluation (January 31, 2022)

DATE: January 31, 2022  
TO: Dan Pauly, Kim Rybold, City of Wilsonville  
FROM: Becky Hewitt, Kaitlin La Bonte, and Ariel Kane, ECONorthwest  
SUBJECT: Frog Pond East and South Affordable Housing Analysis

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## Section 1. Introduction

### Purpose

The Frog Pond East and South areas are important for the City of Wilsonville’s efforts to meet future housing needs and provide equitable housing options for residents. The City’s 2020 Equitable Housing Strategic Plan (EHSP) recognized this, and called for the Frog Pond East and South Master Plan to establish targets for affordability, specifically:

*“As part of the master planning requirements for Frog Pond East and South, the City will establish goals or targets for accessibility to services/amenities, unit types, and unit affordability levels. The targets for affordability levels (number of units and depth of affordability for those units) should be reasonably achievable, allowing for sufficient market-rate development to support key infrastructure investments. This approach will provide a methodology and framework that can be applied in other growth areas beyond Frog Pond.”*

This memorandum is intended to implement that direction from the EHSP and identify affordable housing targets and strategies to ensure these targets are met.

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**Key Term: Affordable Housing**

This memo addresses “affordable housing”. As used here, we are referring broadly to both market-rate housing that is economically attainable for moderate-income households as well as housing that is subsidized or otherwise supported for lower-income households. Where the memo refers to a specific sub-set of affordable housing it is indicated.

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### Background and Policy Direction

The EHSP also directs the Frog Pond East and South master planning effort to:

- Integrate affordable housing into the overall master plan, with access to amenities
- Identify specific properties that could help meet affordable housing targets
- Evaluate relationships to the infrastructure funding plan
- Engage affordable housing developers and other stakeholders to refine strategies

These efforts will be part of the planning process for Frog Pond East and South.

Other past policy guidance related to housing targets and mixes for this area are summarized below.

- Metro’s Conditions of Approval for Wilsonville’s 2018 Urban Growth Boundary expansion required the City to:
  - **Plan for at least 1,325 homes in the expansion area.**
  - **Allow townhomes, duplexes, triplexes, and fourplexes** (now referred to as “middle housing”) in all zones that permit single-family housing within the expansion area. (The requirement related to allowing middle housing in zones that allow single-family housing is now also required by the state under House Bill 2001 and the implementing administrative rules.)
- The 2015 Frog Pond Area Plan established direction for housing mix, lot size, and where different housing types would be allowed within the expansion area. The unit distribution options from the Area Plan are shown in Exhibit 11 and Exhibit 12 on page 17. At a high level, the Area Plan sets direction that the East neighborhood should provide for single-family detached housing on small to large lots, as well as townhomes, cottage lots, and duplexes, while the South neighborhood should provide only small- to large-lot detached housing. It also states that neighborhood-scale mixed use with residential above retail in the commercial center could be considered during the Master Plan process. Other types of housing, including apartments, were not identified as part of the final plan for the Frog Pond area. Note, however, that the Area Plan’s direction pre-dates and is no longer consistent with the Metro conditions of approval summarized above or with the requirements of House Bill 2001.

As of the end of 2021, the City of Wilsonville had 11,587 dwelling units with approximately 730 more planned to be built in the near future between Villebois and Frog Pond West. Frog Pond East and South will represent an approximately 10% plus increase in the number of dwellings in Wilsonville. The City also has roughly 450 government-subsidized housing units as of 2018.<sup>1</sup>

## Section 2. The Housing Spectrum: Meeting a Range of Housing Needs with New Housing

Delivering new housing affordable to a range of incomes requires a range of different approaches, as summarized in Exhibit 1.

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### Key Term: Median Family Income

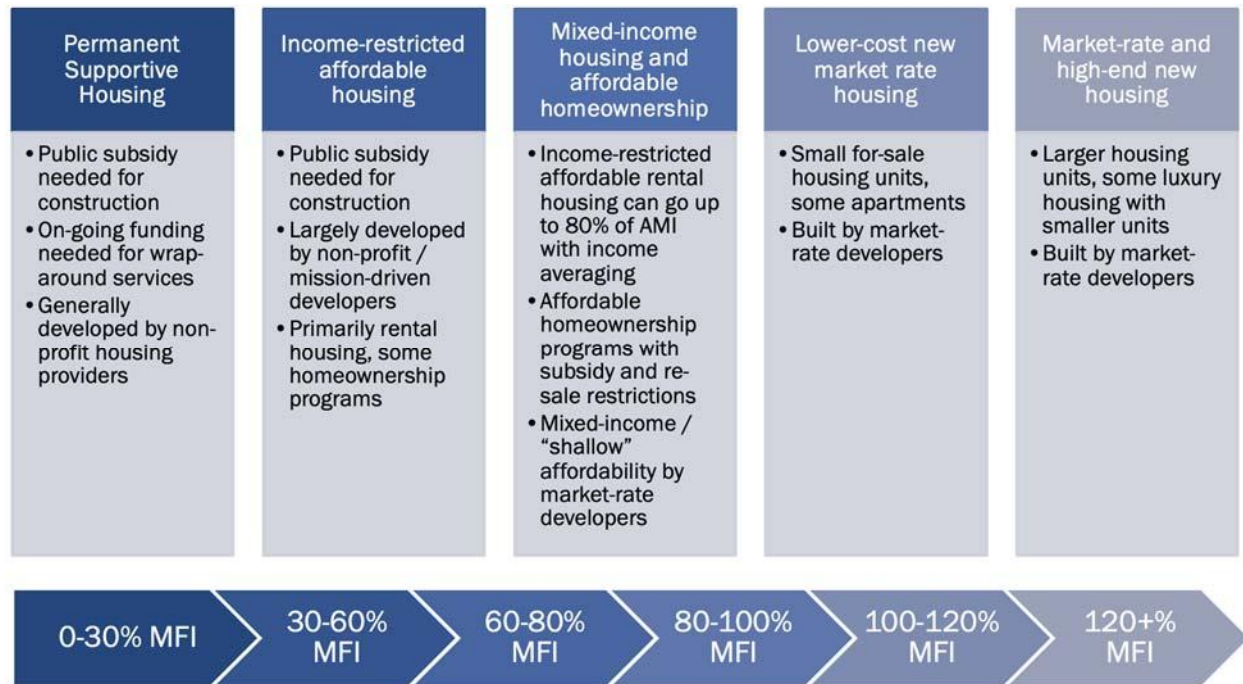
In setting affordability targets and requirements, it is common to express them in terms of a percentage of the Median Family Income (MFI), since this is how eligibility is established for income-restricted affordable housing. MFI is typically set at a regional level. In Wilsonville, the MFI is based on the three-county Portland region. In other words, the MFI for Wilsonville and Clackamas County is the same as that for the region overall. The MFI for a family of four in the Portland region as of 2021 is \$96,700. The U.S. Department of Housing and Urban Development (HUD) considers housing affordable to a given income level if housing costs (including utilities) account for no more than 30% of a household’s income.

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<sup>1</sup> Clackamas County Regional Housing Needs Analysis, ECONorthwest, 2018, page 199.

## Exhibit 1: Approaches to Delivering New Housing by Income Range

Source: ECONorthwest



### Housing for 60% of MFI and below

Meeting the housing needs of households earning less than 60% of MFI nearly always requires public subsidy. Development of income-restricted affordable housing typically relies on funding from the State, region, or County, in addition to any support from the City and other partners.

- Affordable Rental Housing:** Even within publicly supported housing, most housing for this income range is rental housing. The Low Income Housing Tax Credit (LIHTC) program—the largest funding program in the US for affordable rental housing—largely serves households in the 30-60% of MFI range. While there are some for-profit developers who build income-restricted affordable housing, most is built by non-profits or Public Housing Authorities. Affordable rental housing development in suburban parts of the Portland region typically takes the form of three- to four-story apartments with surface parking.
- Affordable homeownership:** There are some homeownership support programs (e.g., Habitat for Humanity, some Community Land Trusts, and down-payment assistance programs) that serve households earning as little as 35% of MFI (\$30,000-\$35,000). These programs tend to receive much less state and federal funding in aggregate than affordable rental housing.

To serve households earning less than 30% of MFI often requires additional subsidy beyond that needed to build housing for 60% of MFI due to the lower rents that are required. It also

sometimes requires support to provide wrap-around services that help residents remain in their housing. Sometimes tiny homes or cottage clusters are used for housing at this income level, but apartments are more common.

## Housing for 60% to 80% of MFI

Housing for households earning between 60% and 80% of MFI often comes in the form of older housing that has depreciated and become more affordable over time; however, delivering new housing in this affordability range can be challenging due to limited sources of public subsidy and the cost of building new market-rate housing. Options include:

- **Mixed-income and “shallow” affordability by market-rate developers:** Incentive programs and inclusionary zoning requirements can sometimes deliver units affordable to households earning less than 80% of MFI as part of a market-rate development if calibrated to align with market conditions. The affordability tends to be “shallow” in the sense that the private market generally cannot absorb rents or sales prices that are far below market rate without substantial incentives or subsidies. The most common form for mixed-income development by private developers is market-rate apartments that include some income-restricted affordable units.<sup>2</sup> However, affordability incentives for middle housing (primarily rental) may be able reach this income range in some circumstances.
- **Affordable homeownership:** Some affordable homeownership development targets this income range (e.g., Habitat for Humanity), using a mix of funding sources to subsidize costs. In the Portland region, this typically takes the form of either small detached housing or townhome-style attached housing.
- **Affordable rental housing with income averaging:** Low Income Housing Tax Credits, the largest funding program for affordable rental housing, allows developments to use income averaging to provide housing for households earning up to 80% of MFI as long as the average for the development overall remains at or below 60% of MFI. As noted above, this would typically be in the form of apartments.

## Housing for 80% of MFI and above

Households earning between 80% and 120% of MFI can often afford at least some of the existing market-rate housing stock in the community, such as apartments, older homes, or townhouses, though in very tight housing markets their options may be limited. For new construction, some smaller and lower-cost market-rate housing can be affordable in the 80-120% of MFI range, but most larger housing units and high-end small housing units tend to be affordable only to those earning at least 120% of MFI. (The expected pricing for market-rate housing in the Frog Pond East and South areas is described further in Section 4.) There are some local incentives and

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<sup>2</sup> Inclusionary Zoning can only be applied to multifamily housing (buildings with 20 or more units) under current Oregon law.

affordability programs that can support housing affordable at 80% to 100-120% of MFI, though state and federal funding is limited.

## Section 3. Opportunities and Constraints for Affordable Housing

There are several considerations and challenges for building affordable housing in the Frog Pond East and South area, including:

- **Infrastructure costs:** While vacant land at the urban fringe tends to cost less than land in already developed areas, this is largely because the cost of building the infrastructure needed to serve urban development is factored into land value and land sales prices. This project will: identify the infrastructure needed to support the East and South Neighborhoods; prepare a funding plan for that infrastructure; and consider the relationship between the need to fund infrastructure and the ability to deliver affordable housing.
- **Site control / property ownerships:** Acquiring property in a competitive market can be a substantial challenge for affordable housing developers. The City does not currently own any land within the Frog Pond East and South areas. The only City-owned land is land designated for a future park. The ability to secure land could be one of the biggest challenges for delivering affordable housing in the area.
- **Past policy guidance on housing types:** The final Frog Pond Area Plan did not include apartments as part of the housing mix for Frog Pond East and South. This limits the potential housing options in several ways:
  - As noted above, most affordable rental housing, which is the primary housing that serves households earning less than 60% of MFI, is built as apartments. The Area Plan notes potential for housing above commercial space, but while some affordable housing includes community spaces on the ground floor, there are financing challenges associated with building affordable housing as true mixed-use development with ground-floor commercial space. If apartments are not allowed in the area, this will significantly constrain the options and sources of funding for building affordable housing and limit the number of income-restricted affordable units that can realistically be developed in the area.
  - Market-rate multifamily housing (apartments or condominiums) can also provide housing affordable to households earning roughly 80% to 100% of MFI. Building apartments or condominiums as part of a mixed-use building increases costs and can make development infeasible or require higher rents or sales prices to justify the additional expense.
- **Challenges for affordable and low-cost homeownership options:** Income-restricted affordable homeownership models can work within a small detached or townhouse-style development, but there is limited state and federal funding for affordable homeownership programs, which means a relatively small number of subsidized



affordable homeownership units could realistically be built in the area. Other methods of providing lower-cost homeownership options without a subsidy, such as condominiums and co-op housing, face legal and financing challenges that make them difficult for many private developers to build. Addressing these legal and financing issues would require action at the state level and is beyond the City's control. However, there are developers working in the region who are willing to build condominiums despite the challenges, some of whom may pursue development within Frog Pond East and South.

**The opportunity for Frog Pond East and South is that the City is in a position to address many of these challenges in ways that can influence the outcome.** At a minimum, in the short term, the City can set land use regulations that allow for a broader range of housing types so that there are more options for market-rate and subsidized affordable housing development now and into the future. The City can establish requirements associated with annexation, which could allow for more specific agreements between the City and property owners seeking to annex. The City can also establish an infrastructure funding plan that limits the infrastructure cost burden on any income-restricted affordable housing built in the area. If financial resources allow, the City can negotiate with property owners to acquire suitable land for affordable housing that can then be transferred at little or no cost to affordable housing developers, or provide funding to support affordable homeownership development by a local Community Land Trust or a provider like Habitat for Humanity. These and other strategies to help deliver affordable housing in this area are addressed further beginning on page 21.

## Section 4. Expected Pricing of Market-Rate Housing

### For-Sale Housing: Market Sale Prices for Single-Family Homes, Townhouses, and Condominiums

Data from recent home transactions<sup>3</sup> for relatively newer housing<sup>4</sup> in Wilsonville and surrounding areas provides an indicator of likely pricing for new housing in Frog Pond East and South. The estimated range of home prices by housing type and unit size is shown in Exhibit 2. The estimated income needed to afford these purchase prices, given standard lending assumptions,<sup>5</sup> is shown as a percentage of the MFI for a four-person household<sup>6</sup> in Exhibit 3. The relevant data is summarized in table form in Exhibit 4.

<sup>3</sup> Sales transaction data is from Redfin for sales between October 2020 and October 2021.

<sup>4</sup> Data includes detached homes and townhouses built since 2010 as well as condominiums built since 2006 (to provide a larger sample size since there are few recently-built condominiums).

<sup>5</sup> Assumes 20% down payment, a 30-year fixed-rate mortgage at 3.5% interest, with estimates for property taxes and homeowners' insurance. Estimated homeowners' association fees are factored into total monthly housing costs based on averages for similar housing from recent sales transactions.

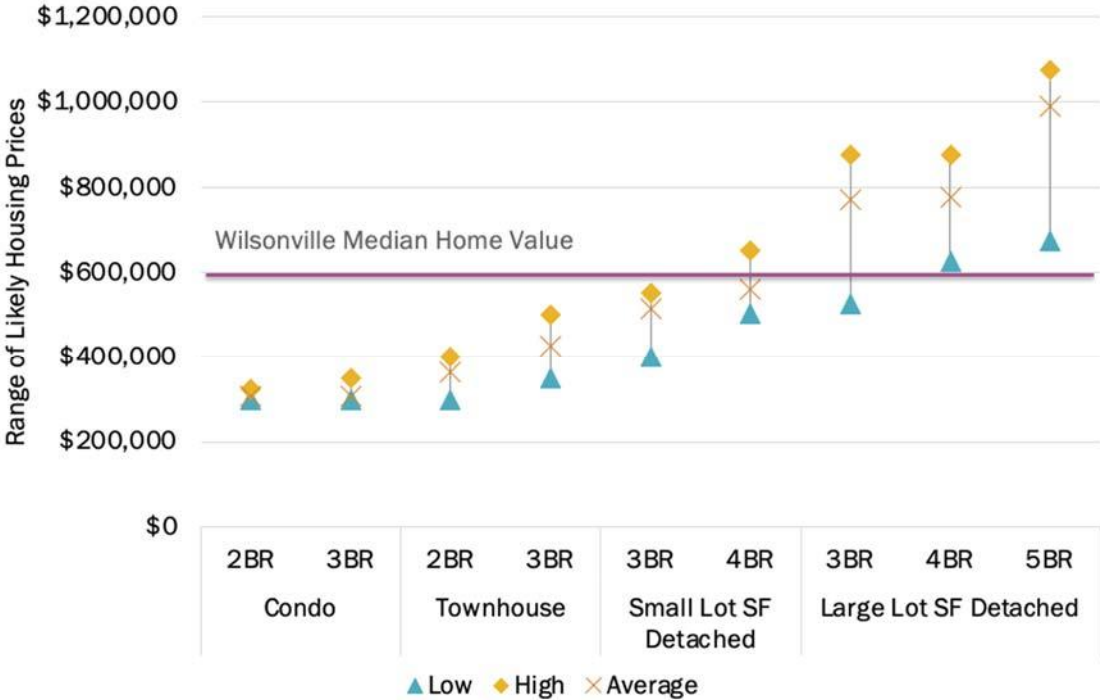
<sup>6</sup> In setting maximum allowed rents by unit size / bedroom count, HUD uses an assumed household size and multiplier relative to the MFI for a family of four. However, to allow for comparison to the income distributions, which are not adjusted for household size, we use the MFI for a four-person family throughout.

Given the recent escalation in home prices, new construction coming to market is likely to sell closer to the top end of the range seen among recent transactions for newer housing. Housing prices will likely continue to escalate over the coming years (though not to the extent seen in the past year), increasing the expected home values over time. However, the comparison between prices of new homes and the median price of existing homes or between new homes and regional average incomes are more likely to remain roughly consistent going forward. Based on these trends, we estimate the following ranges for affordability of new for-sale housing in Frog Pond East and South:

- New large-lot detached housing in Wilsonville will likely be affordable only to households earning more than 120% of MFI, and more expensive than most existing homes.<sup>7</sup>
- New small lot detached homes (on less than 4,500 SF lots) may sell for close to the median value of existing homes and are likely to be affordable mostly to households earning between 100% and 130% of MFI.
- New condominiums and townhouses will almost certainly sell for less than the median value of existing homes in Wilsonville and are likely to be affordable to households earning between roughly 70% and 100% of MFI depending on unit size.

**Exhibit 2. Typical Sales Prices for Recently Built Housing by Housing Type, Wilsonville and Surrounding Area**

Source: ECONorthwest Analysis of Redfin Data, October 2021

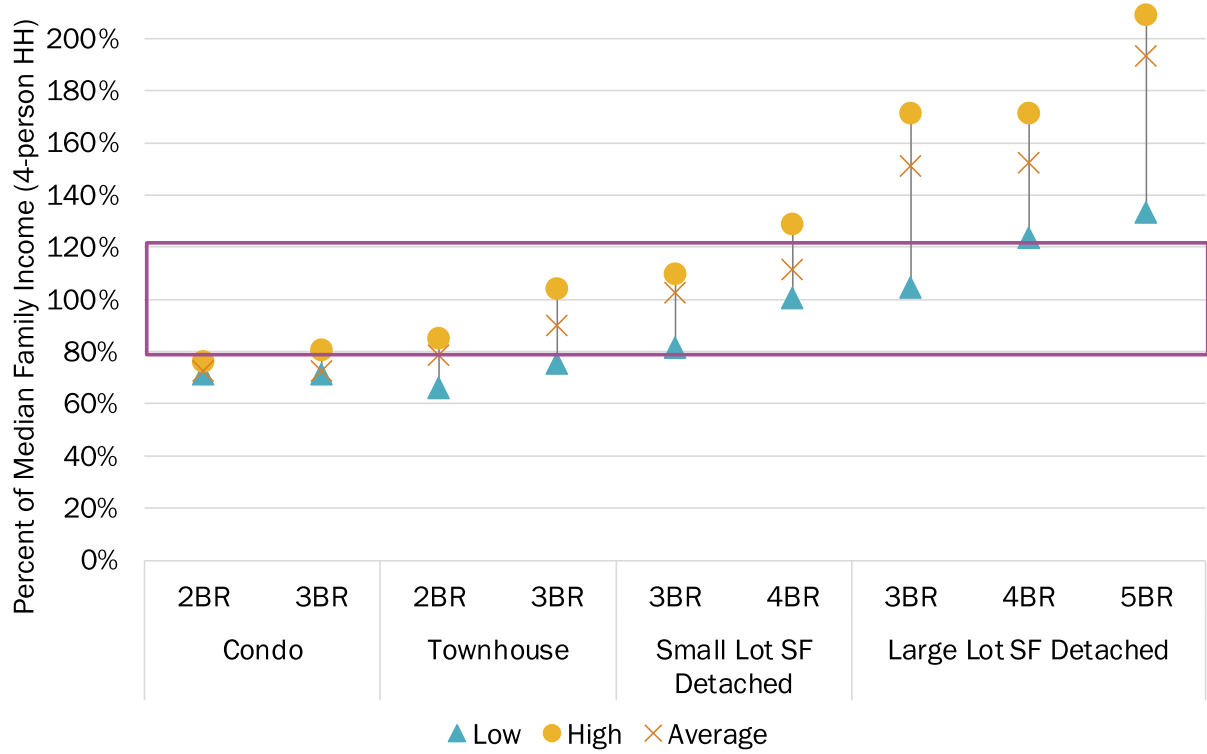


<sup>7</sup> The median value of existing homes in Wilsonville is around \$600,000, affordable to homeowners at 122% of the area MFI for a family of four, or an annual income of \$118,220.

### Exhibit 3. Housing Affordability as a Percent of Median Family Income\* by Housing Type for Recently Built Housing, Wilsonville and Surrounding Area

Source: ECONorthwest Analysis of Redfin Data, October 2021

\* Median family income from HUD for Clackamas County for a four-person household



**Exhibit 4: Sales Price, Income Required, and Income as a Percent of MFI for Newer Housing in and near Wilsonville, by Housing Type, 2021**  
 Source: ECONorthwest Analysis of Redfin Data, October 2021

	Condo		Townhouse		Small Lot SF Detached			Large Lot SF Detached		
	2BR	3BR	2BR	3BR	3BR	4BR	5BR	3BR	4BR	5BR
<b>Low Sales Price</b>										
Sales Price	\$300,000	\$300,000	\$300,000	\$350,000	\$402,500	\$502,500	\$675,000	\$525,000	\$625,000	\$675,000
Annual income needed to afford mortgage	\$69,110	\$69,110	\$64,110	\$73,290	\$78,940	\$97,310	\$119,810	\$101,440	\$119,810	\$128,990
Annual income needed as a percent of MFI*	71%	71%	66%	76%	82%	101%	124%	105%	124%	133%
<b>High Sales Price</b>										
Sales Price	\$325,000	\$350,000	\$400,000	\$500,000	\$552,500	\$652,500	\$1,075,000	\$875,000	\$875,000	\$1,075,000
Annual income needed to afford mortgage	\$73,700	\$78,290	\$82,480	\$100,850	\$106,490	\$124,860	\$202,470	\$165,730	\$165,730	\$202,470
Annual income needed as a percent of MFI*	76%	81%	85%	104%	110%	129%	209%	171%	171%	209%
<b>Average Sales Price</b>										
Sales Price	\$307,700	\$307,400	\$365,300	\$426,700	\$513,800	\$560,000	\$990,600	\$769,900	\$775,800	\$990,600
Annual income needed to afford mortgage	\$70,520	\$70,470	\$76,110	\$87,390	\$99,380	\$107,870	\$186,970	\$146,420	\$147,510	\$186,970
Annual income needed as a percent of MFI*	73%	73%	79%	90%	103%	112%	193%	151%	153%	193%

\*As compared to 100% MFI for a four-person household in Clackamas County. Orange indicates less affordability; blue indicates greater affordability.

## Rental Housing: Market-Rate Apartments

Looking at the range of rents and unit sizes for apartments built in Wilsonville since 2010, there is a wide range of unit sizes and rents, as shown in Exhibit 5.

### Exhibit 5: Wilsonville Apartment Unit Sizes, Mix, and Rents, Developments Built Since 2010

Source: ECONorthwest analysis of CoStar data, November 2021

Unit Type	Most rent for	Average rent is	Most units are	% of Units
Studios	\$1,123	\$1,123	544 SF	4%
1 bedroom	\$1,277-\$1,667	\$1,599	1,275 - 1,630 SF	28%
2 bedrooms	\$1,651-\$1,902	\$1,778	1,020 - 1,110 SF	57%
3 bedrooms	\$2,154-\$2,263	\$2,203	2,150- 2,265 SF	5%
4 bedrooms	\$2,664-\$3,284	\$2,871	2,664 - 3,284 SF	5%

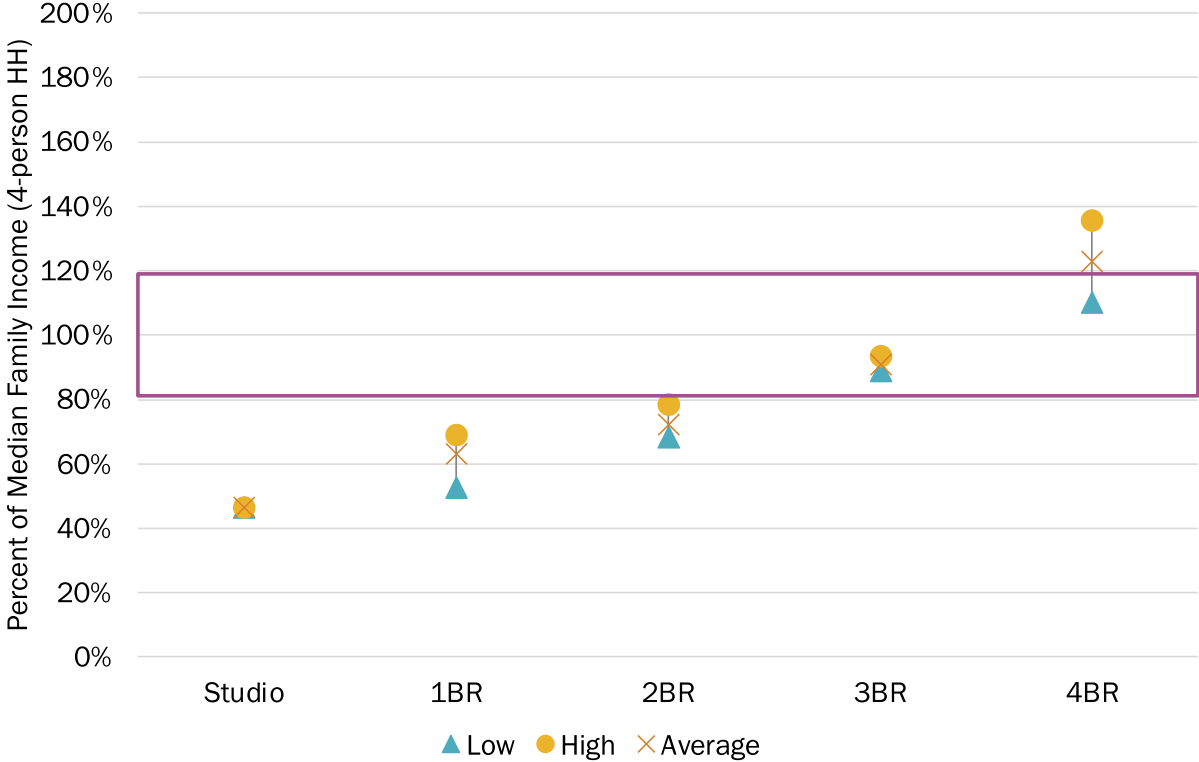
Converting these rents to the percent of MFI needed to afford them<sup>8</sup> shows that even at the top end, apartment units in newer buildings are generally affordable at or below 80% of MFI for a four-person household, and often around 80% of MFI, as shown in Exhibit 6. Very small studio units may be even more affordable, while very large four-bedroom units may be less affordable, but the bulk of units in newer apartments in Wilsonville would be considered affordable for households earning between 65% and 90% of MFI. New apartments would typically be expected to rent for near the upper end of this range (roughly 80% to 90% of MFI), assuming they have good access to amenities.

<sup>8</sup> In setting maximum allowed rents by unit size / bedroom count, HUD uses an assumed household size and multiplier relative to the MFI for a family of four. However, to allow for comparison to the income distributions, which are not adjusted for household size, we use the MFI for a four-person family throughout even though it is not realistic to expect a four-person family to occupy a studio apartment.

**Exhibit 6: Wilsonville Apartment Rent Affordability as a Percent of Median Family Income\* by Unit Size, Developments Built Since 2010**

Source: ECONorthwest Analysis of CoStar Data, November 2021

\* Median family income from HUD for Clackamas County for a four-person household



## Section 5. Affordable Housing Targets

The City does not control housing pricing and affordability directly, but there are many factors that the City does control that affect how much housing is likely to be produced within different affordability levels. Setting reasonably achievable affordable housing targets for the Frog Pond East and South neighborhoods is intended to guide the City’s strategies and policies for this area so that the resulting neighborhoods offer housing options for households at a range of income levels.

### Reference Points

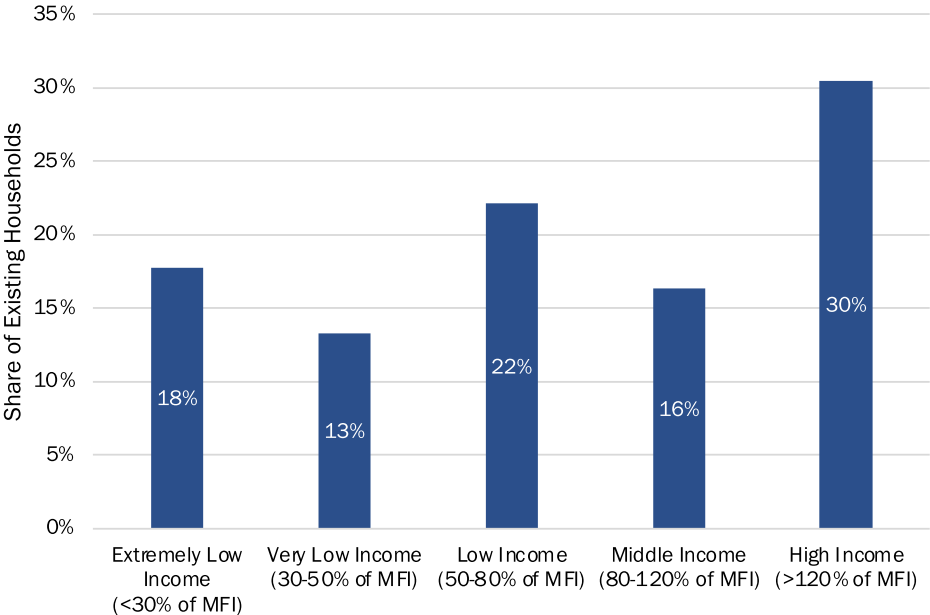
In setting an appropriate and achievable affordable housing target, it is helpful to consider multiple reference points that inform the distribution of housing that may be needed and that may be possible. This section outlines several reference points for housing distribution by affordability level: current income distribution in Wilsonville, current regional income distribution, existing housing gaps at the City and County scale, and the distribution expected based on prior plan policy direction and existing affordable housing tools. These reference points are intended to inform establishing achievable affordable housing targets for Frog Pond East and South, which will ultimately be determined by City Council.

### City of Wilsonville Income Distribution

This reference point offers one way of understanding what it would look like for this area to contribute proportionately to meeting overall housing needs for the city. However, this approach does not consider the specific types of housing needs that may best be met in the new growth area versus other areas of the city, and it does not account for changing demographic needs or needs that are not currently met in the city. The current distribution of Wilsonville households based on how their household income compares to the MFI for Clackamas County for a four-person household is shown in Exhibit 7.

**Exhibit 7. Wilsonville Households by Percentage of MFI, 2021**

Source: American Community Survey, 2019, 5-year estimates

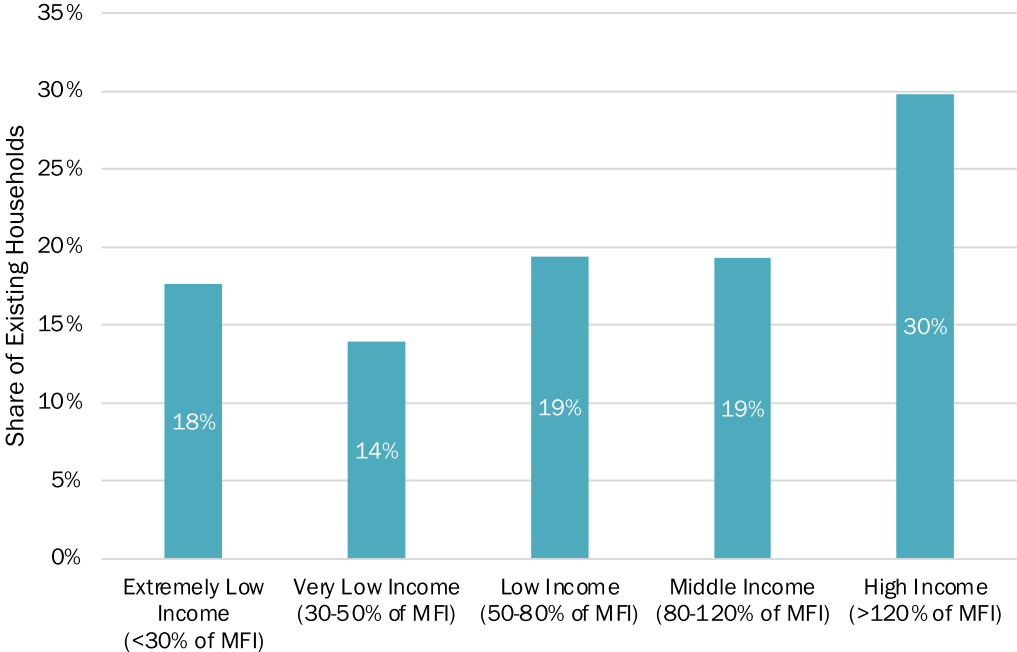


### Regional Income Distribution

Looking at overall regional income distribution can be useful to highlight housing affordability levels and incomes that may be under-represented in Wilsonville compared to the region as a whole. It provides a sense of what mix of housing affordability levels would best meet the needs of people living in the region as a whole. The current distribution of households by income level in the three-county Portland region is shown in Exhibit 8. In the region overall, the share of middle-income residents is somewhat higher than in the city of Wilsonville, while the share of low-income residents is somewhat lower. The share of extremely low income and very low-income residents is similar in the City and in the region overall.

### Exhibit 8. Portland Region Households by Percentage of MFI, 2021

Source: American Community Survey, 2019, 5-year estimates



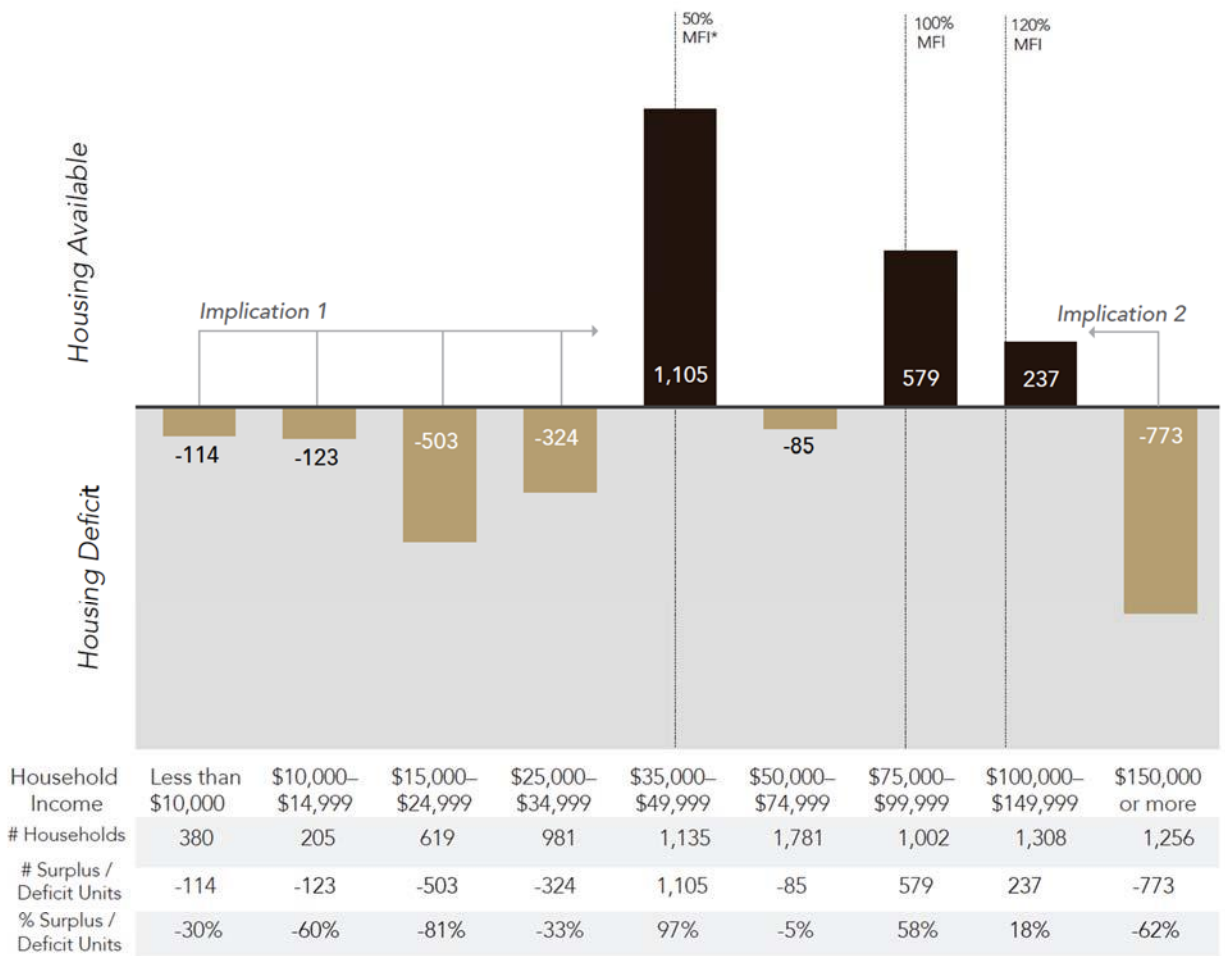
### Current City and County Housing Gaps

Based on the most recent Housing Needs Analysis for the City of Wilsonville (which was done as part of a county-wide Housing Needs Analysis in 2018), there is a deficit of housing units for households earning less than \$35,000 per year, but also a deficit of high-amenity housing for households earning more than \$150,000 per year.



### Exhibit 9: Affordable Housing Costs and Units by Income Level, Wilsonville, 2018

Source: Clackamas County Regional Housing Needs Analysis, page 281



\*Median Family Income for a family of four

**Implication 1**

Some lower-income households live in housing that is more expensive than they can afford because affordable housing is not available. These households are cost burdened.

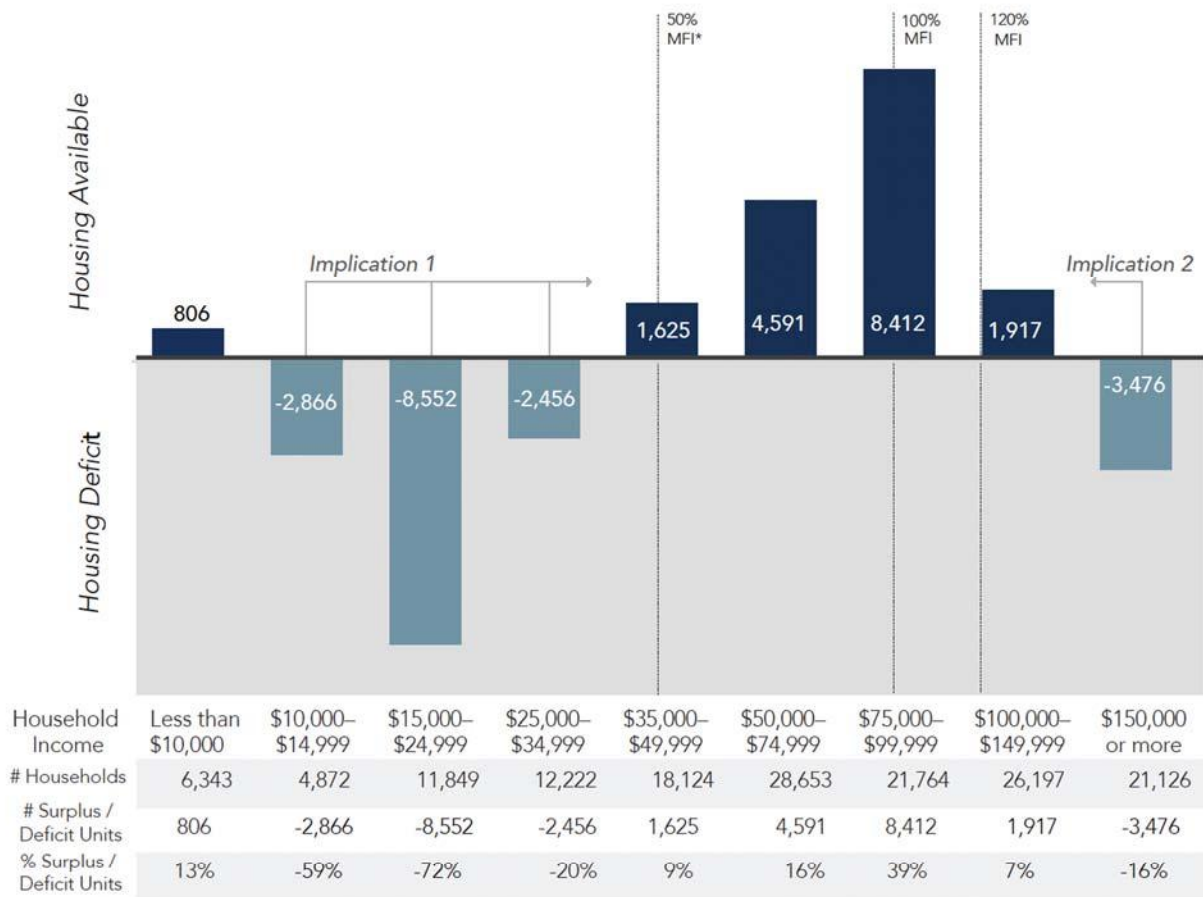
**Implication 2**

Some higher-income households choose housing that costs less than they can afford. This may be the result of the household's preference or it may be the result of a lack of higher-cost and higher-amenity housing that would better suit their preferences.

The overall housing gaps for Clackamas County also show a deficit of housing for households earning less than \$35,000 per year and high-amenity housing for households earning \$150,000 or more.

**Exhibit 10: Affordable Housing Costs and Units by Income Level, Clackamas County Overall, 2017**

Source: Clackamas County Regional Housing Needs Analysis, page 74



\*Median Family Income for a family of four

**Implication 1**

Some lower-income households live in housing that is more expensive than they can afford because affordable housing is not available. These households are cost burdened.

**Implication 2**

Some higher-income households choose housing that costs less than they can afford. This may be the result of the household's preference or it may be the result of a lack of higher-cost and higher-amenity housing that would better suit their preferences.

This reference point suggests a focus on expanding housing supply at the top and bottom of the income spectrum. Providing high-amenity housing for higher-income households can reduce upward pressure on prices for older homes that could be remodeled, while providing housing affordable to lower-income households can reduce cost-burdening and allow households more resources to meet their other needs and remain more stable in their housing.

**Prior Area Plan Policy Direction & Existing Affordable Housing Tools**

This reference point anticipates the outcomes that would be most likely for this area if the City maintains the policy direction from the Area Plan and does not implement any additional strategies to support affordable housing in this area. It provides a reference point for a policy baseline to see how much intervention may be required to achieve the City's equitable housing

goals in this area. The distribution of housing units by type / density established in the Frog Pond Area Plan is summarized in Exhibit 11 and Exhibit 12. As described in the Area Plan:

*At the time of adoption there were two general proposals regarding residential land use in the East and South Neighborhoods. The first proposal was the Planning Commission-recommended option (Option G), with the condition to re-examine the R2.5 densities and commercial site location at a future date of master planning. The second proposal was that there should be a minimum lot size of 4,000 square feet. The Council considered these proposals carefully, along with all of the rationale, implications and issues. Working from the premises that: (1) both points of view should be honored and represented in the Plan; (2) many years will pass before final decisions need to be made; and (3) the range of housing choices and price ranges should increase in the future when these neighborhoods are developed – the Council struck a balance. The balance was to include both options in the Plan with a commitment to revisit the densities and commercial site in the future as part of master planning. An additional idea was added to consider, during Master Planning, neighborhood scale mixed use, where residential would be allowed over the retail in the commercial center.<sup>9</sup>*

The primary difference for purposes of this document is that Option G included an allowance for attached / cottage single-family, with lots between 2,000 and 3,000 square feet. Neither option included an allowance for multifamily housing. As noted above, the City must provide for at least 1,325 units in this area (Option H would provide only 1,258) and must allow attached / cottage single-family and other middle housing types in any zone that allows single-family housing.<sup>10</sup> Thus, ECONorthwest used Option G as a starting point for this scenario, since it aligns better with recent requirements.

<sup>9</sup> Frog Pond Area Plan, A Concept Plan for Three New Neighborhoods in East Wilsonville, 2015, page 24.

<sup>10</sup> While Option G did not assume that middle housing would be allowed throughout the East and South neighborhoods, the total percentage of middle housing and small lot detached housing, at roughly one third of all housing units, remains a reasonable estimate of the amount of middle housing and small-lot detached housing that the market might deliver in this area after accounting for HB 2001.

**Exhibit 11. Land Use Metrics and Capacity "Option G"**

Source: Frog Pond Area Plan, A Concept Plan for Three New Neighborhoods in East Wilsonville, 2015

Residential Designation	Average Lot Size (SF)	Max Units/ac net	East Neighborhood Units	South Neighborhood Units	East+ South Units	% of East + South Units
Future R-8 Single Family (7,000 - 9,000 SF)	8,000	5.40	120	28	148	11%
Future R-6 Single Family (5,000 - 7,000 SF)	6,000	7.30	125	162	287	22%
Future R-4 Single Family (3,000 - 5,000 SF)	4,000	10.90	165	286	451	34%
Future R-2.5 (2,000 - 3,000 SF)	2,500	17.40	436		436	33%
<b>Total Units</b>			<b>846</b>	<b>476</b>	<b>1,322</b>	<b>100%</b>

**Exhibit 12. Land Use Metrics and Capacity ("Option H" - No R2.5 in East Neighborhood)**

Source: Frog Pond Area Plan, A Concept Plan for Three New Neighborhoods in East Wilsonville, 2015

Residential Designation	Average Lot Size (SF)	Max Units/ac net	East Neighborhood Units	South Neighborhood Units	East+ South Units	% of East + South Units
Future R-8 Single Family (7,000 - 9,000 SF)	8,000	5.40	120	28	148	13%
Future R-6 Single Family (5,000 - 7,000 SF)	6,000	7.30	125	162	287	25%
Future R-4 Single Family (3,000 - 5,000 SF)	4,000	10.90	437	286	723	62%
Future R-2.5 (2,000 - 3,000 SF)	2,500	17.40				0%
<b>Total Units</b>			<b>682</b>	<b>476</b>	<b>1,158</b>	<b>100%</b>

To translate this housing mix into an expected distribution by income level, ECONorthwest used the expected pricing of market-rate housing by housing type summarized in Section 4:

- The Future R-2.5 units are assumed to be primarily middle housing similar to townhouses based on the density and housing types described for this zone. Given estimated pricing, these units would generally be affordable to households between 80% and 120% of MFI.
- Small-lot detached housing ranges slightly above and below 120% of MFI. Half of the R-4 housing units are assumed to be affordable at 80-120% of MFI, while the other half are assumed to be affordable to households at 120% or more of MFI.
- Medium- to large-lot single-family is affordable only above 120% of MFI. All of the R-6 and R-8 units plus half of the R-4 units are assumed to be affordable to households earning 120% or more of MFI.

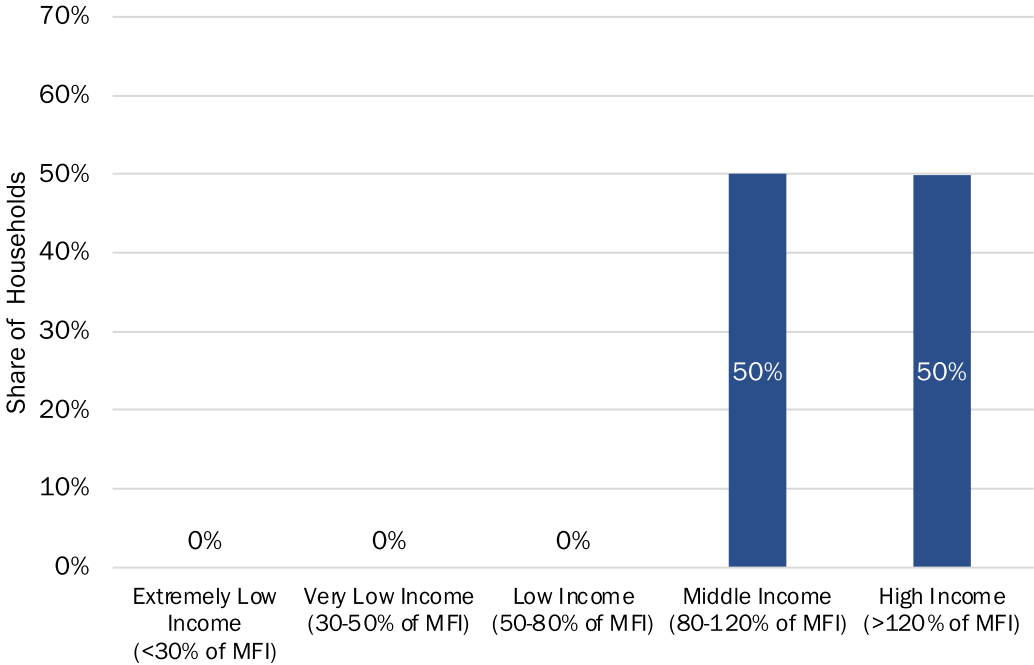
Because Option G did not include multifamily housing in the land use metrics, this reference point assumes that no regulated affordable rental housing or market-rate multifamily are built

in the area. While some affordable homeownership housing is possible under existing policy guidance, the City has no existing programs in place to support this, so the assumption is that this would not occur without additional support. These factors mean that the current policy guidance and existing programs would be unlikely to deliver housing to serve households earning less than 80% of MFI.

The expected distribution of housing by income level under existing policy is shown in Exhibit 13.

**Exhibit 13: Expected Distribution of Housing by Affordability Level Under Existing Policy**

Source: ECONorthwest calculations based on Frog Pond Area Plan Option G and market pricing



### Proposed Affordable Housing Targets

The proposed affordable housing targets are intended to provide achievable goals for this area if the City addresses the constraints noted previously and implements a set of feasible strategies to support affordable housing. The types of strategies needed to meet these proposed targets are described in Section 6.

Given the context and the scale of the area, the City could target the following for publicly supported, income-restricted affordable housing development:

- One affordable multifamily rental development serving households earning up to 60% of MFI, or an average 60% of MFI, with income averaging that offers some units for households earning up to 80% of MFI. This would likely be between 120 and 180 units and roughly 30 units per acre based on typical development of this type, requiring four to six acres of land.

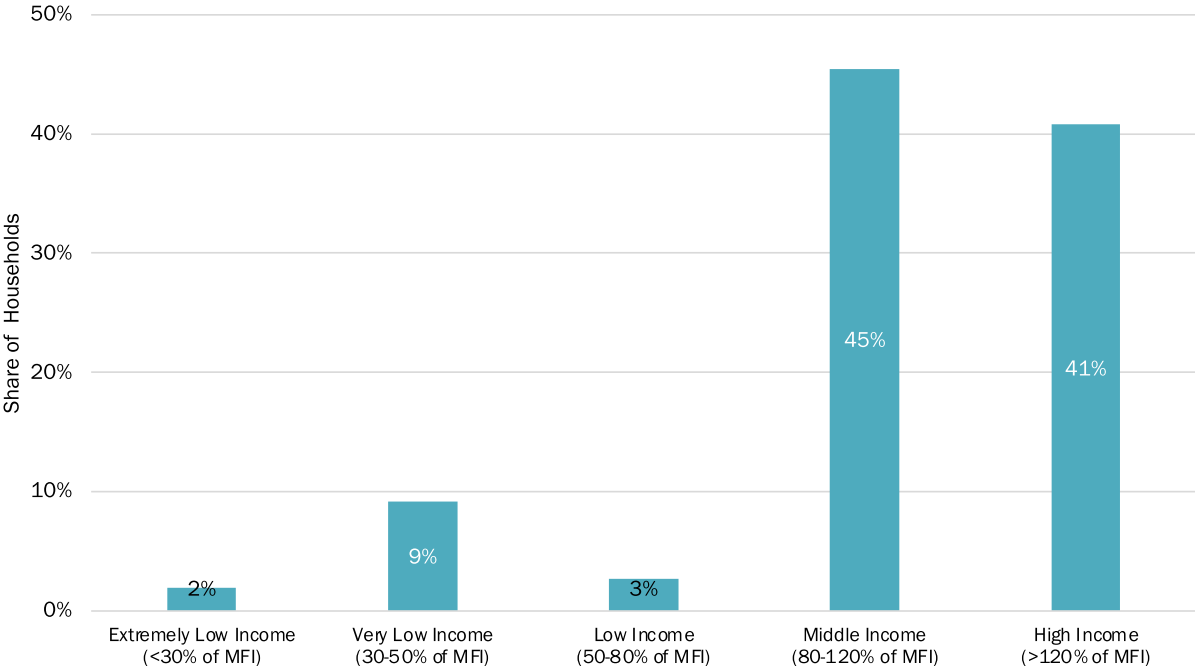
- One small cottage/tiny home/courtyard development for households earning less than 30% of MFI, low-income seniors, veterans, or people with disabilities. This could be between 5 and 50 units and might require between a quarter of an acre and two acres, depending on scale and design.
- One to two townhome or cottage cluster affordable homeownership developments for households earning 35% to 80% of MFI (e.g., Habitat for Humanity or Proud Ground). This could be between 10 and 40 units and might require between one and two acres, depending on scale and design.

In addition to these goals for income-restricted affordable housing, the City can target providing a mix of housing within the market rate development that offers roughly half of units that are likely to be affordable to households earning less than 120% of MFI. This could mean a similar mix of housing types as identified in Option G in the Area Plan (even if the locations for middle housing are no longer restricted), resulting in a roughly even split between housing for households earning 80% to 120% of MFI and households earning more than 120% of MFI for the market-rate for-sale housing. Allowing opportunities for some market-rate apartment development without ground floor commercial space to further expand the range of housing options for households earning less than 100% of MFI.

**Error! Reference source not found.** provides an illustrative example of the approximate distribution of housing by income level based on the ranges of units above and rough estimates of the amount of market-rate housing that could be built if the land above were dedicated to affordable housing. These estimates are preliminary and may be refined through the planning process.

**Exhibit 14: Approximate Distribution of Housing by Income Level for Affordable Housing Target**

Source: ECONorthwest

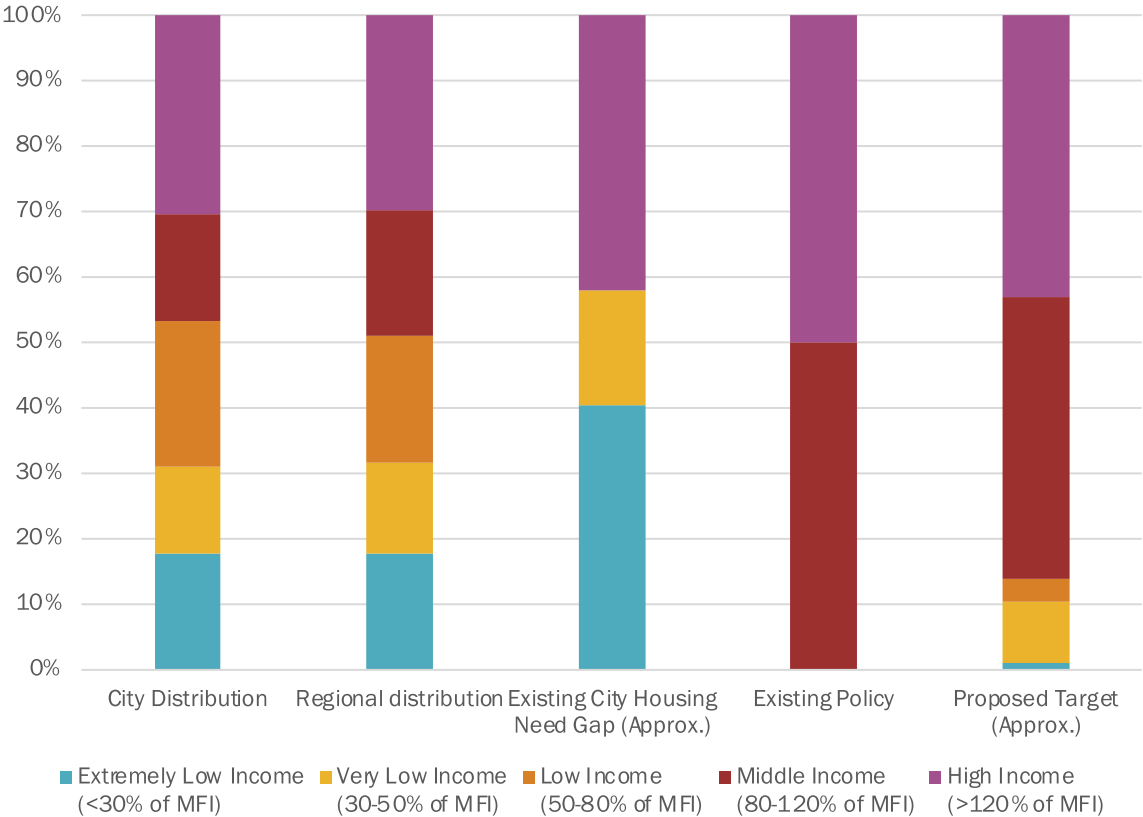


# Comparison to Reference Points and Implications

**Error! Reference source not found.** summarizes the unit counts that would result from applying the distribution for each scenario to the 1,325 housing units required by Metro. (As noted previously, the total unit count may vary between the scenarios or be refined through the process of establishing land use scenarios—these unit counts are illustrative only at this stage.) Exhibit 15 illustrates the comparison between the scenarios in terms of the income distribution in each.

**Exhibit 15: Distribution of Housing by Income Level for Housing Target Compared to Reference Points, Frog Pond East and South**

Source: ECONorthwest



## Implications:

- To reach the affordable housing policy directives from the Equitable Housing Strategic Plan with development in Frog Pond East and South the City will need to allow a full range of housing types and make investments to support affordable housing development.
- Even if the City does make changes to policy and takes action to dedicate funding to support affordable housing, the share of affordable housing is likely to fall short of meeting a proportionate share of overall housing needs at the City or regional level during initial build-out.

- Adding to housing supply across a range of affordability levels in Frog Pond East and South will help meet housing needs overall and would be a one step forward in a larger series of housing-related initiatives by the City, even if it does not match the overall distribution or address all the existing gaps for affordable housing.
- Middle housing and condominiums can offer homeownership opportunities to middle income households without public subsidy, making land use regulations and infrastructure funding decisions that affect the feasibility of multi-family and middle housing an important consideration for affordability.

## Section 6. Affordable Housing Strategies

The City can support development of affordable and mixed-income housing in a number of ways. The EHSP lays out a range of strategies to advance the City’s equitable housing goals. The City will also be required to adopt a Housing Production Strategy (HPS) soon under recent changes to state rules, and will need to identify and prioritize strategies to support housing production across a range of housing needs. This section outlines the strategies that are likely to have the greatest impact for Frog Pond East and South, building on those in the EHSP.

- **Zone for All Housing Types:** Enable a full range of housing types in Frog Pond East and South, including multifamily, to expand first time homebuyer opportunities and to make it possible to build affordable rental housing using common sources of funding. Align zoning for multifamily with areas that are suitable for affordable housing. Flexibility needs to be in place to take advantage of affordable housing opportunities both now and during the longer-term build out of Frog Pond East and South.
- **Acquire Land for Affordable Housing:** Attempt to find willing sellers for suitable properties for affordable housing within Frog Pond East and/or South, to ensure an opportunity to build affordable housing in the area. This would likely require funding, particularly if the City intends to offer the land for affordable housing development for little or no cost to make affordable housing development more viable. However, the City could consider asking the current owner to ground lease the property to the City and have the development pay for it in future, or seek an option on a property rather than acquiring it outright. It would also require staff time to manage the property owner negotiations and (if successful), the land disposition process (e.g., a Request for Proposals for development). With private developers also seeking to secure land or options to purchase property, the sooner the City acts, the better its chances. The City should prioritize sites that meet the following criteria:
  - Close proximity to existing transit (e.g., the stop at Meridian Creek Middle School), or near an area that has a high probability of future transit service upon development.
  - Close proximity to parks, schools, future commercial areas, and other amenities.



- Sites that are between four and six acres of buildable land if targeting affordable rental housing; smaller sites (e.g., half-acre to two acres) for homeownership housing.
- Sites without major development constraints or especially costly infrastructure needs. Sites should not be in the floodplain.
- **Partner with a Community Land Trust:** A community land trust (CLT) such as Proud Ground could help deliver affordable homeownership housing in Frog Pond East and South. If the City is unable to secure land for affordable housing, it could explore other ways to support a CLT in building affordable homes, such as direct subsidy (e.g., using Metro Bond money), SDC waivers, or tax abatements (see further discussion below).
- **Waive, Reduce, or Defer SDCs for Affordable Units:** The cost of SDCs and other infrastructure costs for greenfield development can become prohibitive for affordable housing. Options to reduce SDC cost impacts on affordable housing will be addressed as part of the infrastructure funding plan for Frog Pond East and South to ensure that overall infrastructure needs can be met. Waiving SDCs entirely for income-restricted affordable housing has the greatest impact, but reductions and deferral can also help reduce the funding gap for affordable housing. This requires engagement with other infrastructure providers.
- **Incentivize Smaller and Lower-Cost Middle Housing:** Middle housing will be allowed broadly in Frog Pond East and South, and some developers have expressed interest in middle housing development in the area. Because middle housing generally offers lower price-points than single-family detached housing, it offers middle-income housing options and potential for lower-cost homeownership. There are several incentives that could be effective tools to support middle housing development that is affordable to middle-income households:
  - The Multiple Unit Property Tax Exemption (MUPTE) is a flexible program that can be used to incent multiple-unit rental housing with particular features or at particular price points by offering qualifying developments a partial property tax exemption for 10 years. The City could offer MUPTE for middle housing rental developments with small units that are more likely to be affordable. (The City could also choose to offer MUPTE only in exchange for income and rent restrictions, but would need to be able to monitor compliance with these restrictions over the 10-year abatement period.) This program requires support from overlapping taxing districts.
  - The Homebuyer Opportunity Limited Tax Exemption (HOLTE) program allows cities to offer a 10-year partial property tax exemption on for-sale properties valued at no more than 120% of the median sales price that meet any additional city-imposed income and owner-occupancy requirements. Portland has paired it with an SDC exemption to incentivize new moderately-priced for-sale housing. This program requires support from overlapping taxing districts.
  - SDCs that scale with unit size can also incentivize smaller, lower-cost middle housing units by right-sizing fees to the impacts of different housing types and sizes.

This will be considered through the infrastructure funding plan and requires engagement with other infrastructure providers.

- The City could consider allowing small “multiplex” development (e.g., 6-12 units) on sites that would allow a fourplex under new middle housing rules, if the units are under a certain size limit so that the overall volume of the building is still similar to a fourplex.
- **Reduce Multifamily Parking Requirements:** If the City adopts zoning for Frog Pond East and South that allows multifamily development in portions of the area, it should also evaluate reducing parking requirements for multifamily. (This could be done citywide or applied only within the Frog Pond East and South areas.) Currently, at least one space per unit is required, even for units less than 500 sq. ft.; most units require 1.25 to 1.75 spaces per unit. If parking requirements exceed what is needed to serve affordable housing, this adds cost to build spaces that do not generate revenue and reduces the number of units that fit on site. If land and funding are available for affordable housing, reducing parking requirements can ensure that it can be built efficiently and optimize the amount of housing on the site.
- **Incentivize Housing with Accessible or Visitable Units:** With substantial new housing construction coming for Frog Pond East and South, the City can encourage units designed to be accessible or visitable to better meet the needs of individuals with mobility limitations in the community. The City can apply some of the same incentives noted above to apply to accessible or visitable units, such as tax abatements, SDC reductions, or allowances to build additional units.

## Section 7. Conclusions and Next Steps

If the City does not take further action to support affordable housing and does not change course from prior policy direction on housing types for Frog Pond East and South, there will be few opportunities for affordable housing and little chance that it will get built. If the City allows a full range of housing types and implements additional affordable housing strategies, particularly related to proactive land acquisition, the chances for affordable housing increase substantially. Financial and regulatory incentives could also encourage developers to build smaller, lower-cost housing units with or without income restrictions, or to build units that are accessible or visitable for residents with mobility limitations. These strategies align with those outlined in the EHSP and provide input to a future HPS.

While meeting a proportionate share of citywide or regional housing needs by income may not be possible for greenfield development, there are important opportunities for affordable homeownership and expanding housing options across a range of incomes and housing needs. The proposed housing targets include a mix of market-rate housing at typical price-points and a few affordable housing developments of various scales and forms. These targets are intended to be achievable with implementation of the recommended housing strategies. This area can play an important role in a broader citywide effort to provide needed housing. Additional work will

be needed to meet housing needs in other parts of the City that cannot feasibly be met in this greenfield area.

Next steps within this process include identifying specific properties that could help meet affordable housing targets; evaluating relationships to the infrastructure funding plan of potential SDC reductions or waivers; engaging affordable housing developers and other stakeholders to refine strategies; and subsequent work to learn more about community perspectives/preferences, which could lead to refinements in the targets and strategies laid out in this document.

DATE: January 31, 2022  
TO: Dan Pauly, Kim Rybold, City of Wilsonville  
FROM: Becky Hewitt, Kaitlin La Bonte, Ariel Kane ECONorthwest  
SUBJECT: Frog Pond East and South Accessory Dwelling Units Memorandum

---

## Section 1. Introduction

Accessory Dwelling Units (ADUs) offer an opportunity to seamlessly integrate additional, smaller units within neighborhoods while staying with traditional single-family development and financing models. There are many reasons why people may be interested in building or living in ADUs. For residents, ADUs tend to be a more affordable flexible housing option. For homeowners, ADUs provide opportunities to house family members or earn additional income. As ADUs grow in popularity and recognition, many jurisdictions are considering ways to encourage ADU development.

In bringing the Frog Pond East and South areas into the Urban Growth Boundary (UGB), Metro required that the city explore ways to encourage the construction of ADUs in the expansion area. In Frog Pond East and South, the challenges to encouraging ADU development are different from infill development scenarios. Strategies to promote ADU development in an infill context typically focus on facilitating development for homeowners. In a greenfield development context such as Frog Pond, the City's strategies should focus on ways to influence homebuilders' floorplans to encourage building ADUs at the time of construction or encouraging home and lot designs that provide opportunities for ADU additions later.

This memorandum is intended to assist the City of Wilsonville in planning for residential development in Frog Pond East and South in a way that would be supportive of ADU development in the planning area's residential neighborhoods. Using available survey data and stakeholder interviews, this memorandum provides some insight into the likely demand and market for ADUs in the region and describes ways to City could facilitate ADU development as the planning area is built out.

## Section 2. Who do ADUs serve?

### Who wants ADUs and why?

A 2018 American Association of Retired Persons (AARP) Home and Community Preferences Survey<sup>1</sup> found that 33% of adults aged 18 and older who did not have an ADU on their property would consider adding an ADU (27% unsure). As shown in Exhibit 1, of those who would consider adding an ADU, having a place for a loved one to stay who needs care was a major

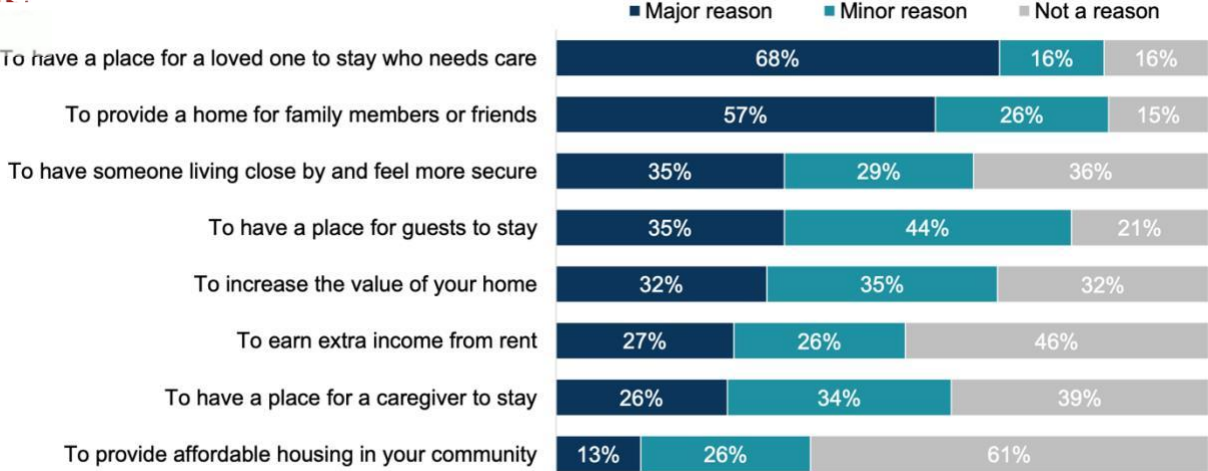
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<sup>1</sup> This survey was conducted by NORC at the University of Chicago with funding from AARP in March and April 2018. 2,287 participants completed the survey, the final total of the national sample was 1,947.

reason for 68% of respondents; providing a home for family members or friends was a major reason for 57%.

**Exhibit 1. Major Reasons for Considering Building an ADU**

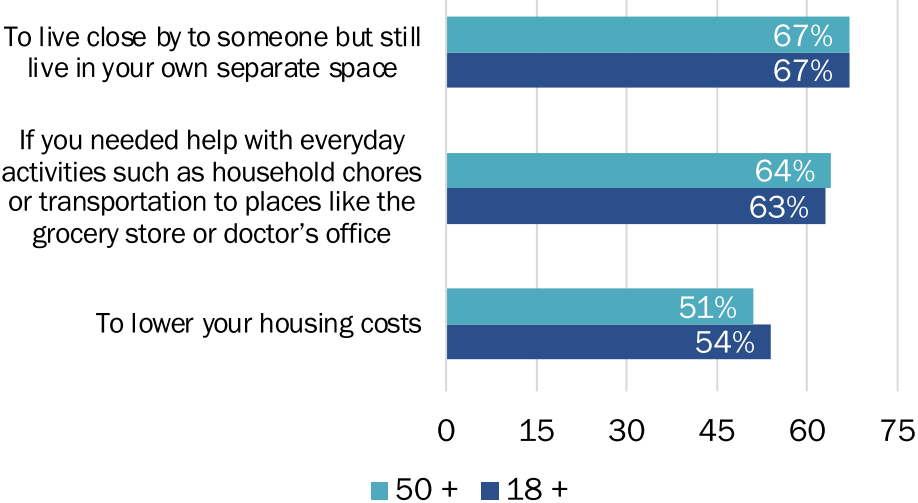
Source: 2018 AARP Home and Community Preferences Survey, [www.aarp.org/research/topics/community/info-2018/2018-home-community-preference.html](http://www.aarp.org/research/topics/community/info-2018/2018-home-community-preference.html)



Out of the adults surveyed, 67% said they would consider living in an ADU to live close to someone but still have their own space, 63% said they would consider it if they needed help with everyday activities, and 54% said they could consider it to lower their housing costs. This is shown in Exhibit 2.

**Exhibit 2. Top Three Reasons for Considering Living in an ADU by Age Group**

Source: 2018 AARP Home and Community Preferences Survey, [www.aarp.org/research/topics/community/info-2018/2018-home-community-preference.html](http://www.aarp.org/research/topics/community/info-2018/2018-home-community-preference.html)

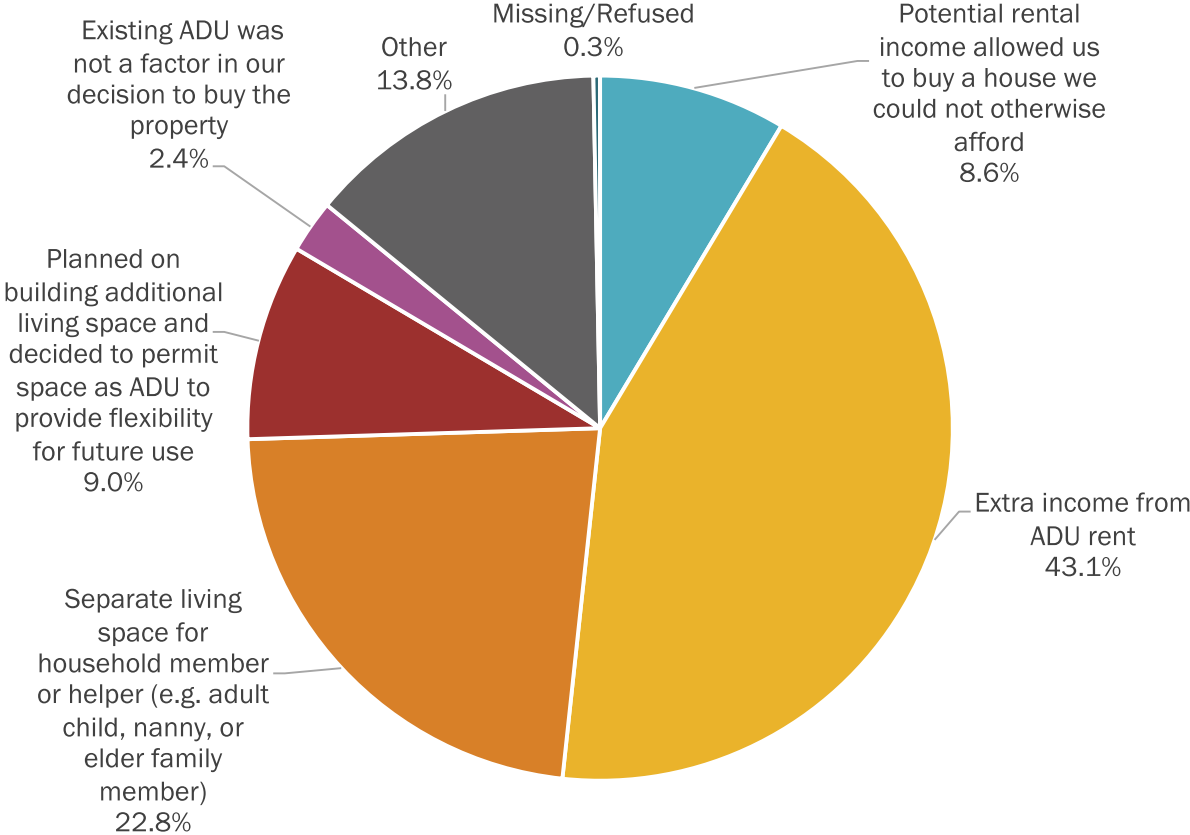


In a 2013 survey of Portland, Eugene, and Ashland homeowners with existing ADUs, 43% of Portland respondents said that the extra income from ADU rent was a primary reason for

building an ADU or for purchasing a property with an existing ADU. Other reasons are shown in Exhibit 3.

**Exhibit 3. Portland Homeowners primary reason for building an ADU or purchasing the property with an existing ADU.**

Source: Accessory Dwelling Unit Survey for Portland, Eugene, and Ashland, Oregon Final Methodology and Data Report, 2013 <https://accessorydwellings.files.wordpress.com/2013/10/adureportfrev.pdf>



**What might an ADU rent for in Frog Pond East and South?**

In the 2013 survey of Portland property owners with ADUs, the mean rental income received was between \$811 and \$880 (Exhibit 4). While these rents are now well out of date, the range of rents is worth noting: from as little as \$385 per month, to as much as \$1,800 per month.

#### Exhibit 4. Portland Rent Received Monthly for ADU, 2013

Source: Accessory Dwelling Unit Survey for Portland, Eugene, and Ashland, Oregon Final Methodology and Data Report, 2013 <https://accessorydwellings.files.wordpress.com/2013/10/adureportfrev.pdf>

	N	Minimum	Maximum	Mean	Std. Deviation
How much rent do you receive monthly for your ADU?	143	\$385	\$1,800	\$880.20	\$239.42
If rent includes utilities, how much is the rent without utilities?	78	\$200	\$1,700	\$811.85	\$248.09

Based on analysis of recent ADU listings in Portland, Milwaukie, Canby, Oregon City, Beaverton and Hillsboro, ADU rents were generally between \$1,050 and \$2,000 per month. Rents varied by structure type, number of bedrooms and unit size, with the average rent overall being \$1,540. Detached ADUs tended to have higher rents, with smaller footprints. Basement ADU rents tended to be lower, at an average of \$1,275 (see Exhibit 5).

#### Exhibit 5. ADU Rents in Portland Metro Area by Structure and Bedroom

Source: ECONorthwest Analysis of Craigslist, Apartments.com data, 2021

Structure	Bedrooms	Most rent for	Average Rent	Most units are
Attached	Studio	\$1,475	\$1,475	500 SF
	1 Bedroom	\$1,450 - \$1,625	\$1,540	650 - 800 SF
	2 Bedrooms	\$1,595	\$1,595	610 SF
	Overall	\$1,450 - \$1,625	\$1,540	500 - 800 SF
Basement	Studio	\$1,350 - \$1,450	\$1,400	500 - 750 SF
	1 Bedroom	\$1,050 - \$1,250	\$1,150	500 - 1,500 SF
	Overall	\$1,050 - \$1,400	\$1,275	500 - 1,500 SF
Detached	Studio	\$1,450	\$1,450	450 SF
	2 Bedrooms	\$1,500 - \$2,000	\$1,700	750 - 950 SF
	Overall	\$1,450 - \$2,000	\$1,650	500 - 950 SF
Overall	Studio	\$1,350 - \$1,475	\$1,430	500 - 600 SF
	1 Bedroom	\$1,050 - \$1,625	\$1,350	350 - 800 SF
	2 Bedrooms	\$1,500 - \$2,000	\$1,690	600 - 750 SF
	Overall	\$1,050 - \$2,000	\$1,540	500 - 1,000 SF

Overall, while the variability is high due to a small set of observations spread across a wide area in many different forms and ages of homes, this suggests that ADU rents might be similar to rents for newer market-rate apartments.

### What might an ADU sell for in Frog Pond East and South?

Some ADUs are sold separately from the main home as condominiums rather than being rented out or managed by the owner of the main home. These sales transactions are difficult to isolate, and there are no known examples in Wilsonville or surrounding areas. Examples of new construction small, detached condominium units in Portland have mostly sold for \$300,000 to

\$400,000—roughly 60-70% of the sale price of the main house on the same lot where both were new construction. Given this pattern and the estimated sale prices for new homes in the Frog Pond area with larger lots generally being between \$600,000 and \$800,000, the price range for ADUs in the Frog Pond area may be similar to that seen in Portland. This is also similar to the pricing for newer two- to three-bedroom condominium units in Wilsonville.

## Section 3. Opportunities and Barriers for ADU development

### Regulatory Barriers

The City of Wilsonville recently updated its ADU regulations to comply with state and regional requirements. ECONorthwest reviewed the current regulations to identify any requirements that could still create challenges for ADU construction in Frog Pond East and South. The primary code standards identified as potential obstacles included:

- Lot coverage and setback standards in several existing residential zones may limit the ability to build detached ADUs.
- ADUs are not allowed for townhouses (unless those townhouses meet the single-family minimum lot size). Some developers have created floor plans for townhouses with ADUs that can be sold separately and some with a flexible ground-floor space with separate entrance that can either be used as a home office or an ADU. This model is not currently allowed in Wilsonville, but could be appropriate for portions of Frog Pond East and South.

#### Exhibit 6: Example of townhouse with ADU / ground floor flexible space

Source: Redfin.com





## Financial and Other Factors

ECONorthwest interviewed several homebuilders who are likely to develop portions of Frog Pond East and South when master planning is complete. Some indicated interest in building ADUs. They noted several factors that will influence their decision-making about whether or not to include ADUs in their floor plans:

- When building detached ADUs with single-family homes, this can require a larger lot and push the price-point for the home above what most households can afford. (Providing flexibility for ADUs on lot coverage and setback standards could help address this concern to some extent.)
- Being able to sell the ADU separately helps keep the cost down for both units. One developer's model has been to sell all units with a three-year owner occupancy requirement, including the ADUs, to ensure that they are not used as investment properties. (Another Metro requirement for Frog Pond East and South is that the City ensure that any future homeowners associations will not require owner occupancy of homes that have accessory dwelling units. This could preclude this aspect of the model, and may, ironically, discourage building ADUs for some builders.)
- Local fees are an important factor in whether developers will build ADUs. (Wilsonville does not charge SDCs for ADUs.)

## Section 4. ADU Strategies

### Regulatory strategies:

- Providing greater flexibility on lot coverage and setbacks for detached ADUs could make it easier to add them to a lot with less effect on the size or location of the main home.
- Allowing ADUs with townhouses (regardless of lot size) in areas where higher density is appropriate could expand opportunities to add ADUs.
- Wilsonville already allows land divisions for ADUs to be sold on a separate lot from the main home, which is mostly applicable to detached ADUs, but could be an incentive for homebuilders along with the lack of SDC fees.
- Allowing larger ADUs (the current limit is 800 square feet) could make the existing financial and regulatory incentives stronger, but would also make them even more similar to two-unit cluster housing, which is also allowed.

### Financial strategies:

- The primary financial incentive that has been used to encourage ADU production is waiver of SDCs. As noted above, Wilsonville already has this option in place, and has for many years.

- Establishing a set of pre-approved building plans for homes and townhouses with ADUs, or other similar measures to streamline the review process for development, could make some difference to homebuilders. However, with a greenfield development, there are many other review and permitting processes that will tend to take longer than the building permit review, meaning that streamlining one part of the process is likely to have a minimal impact.
- A marketing approach in which the City would help direct media attention to new homes built with ADUs could provide some incentive for builders, who would benefit from the free publicity, though the City would have to approach this carefully to avoid the appearance of bias towards a particular developer.

## Section 5. Conclusions and Next Steps

ADUs in Frog Pond East and South could provide additional options for small rental and/or for-sale units at price-points similar to multifamily housing but at a neighborhood scale. This makes them an important part of the mix in this area, particularly if opportunities for multifamily development in the area are limited. Past surveys suggest that people value ADUs for intergenerational households, flexible space for guests or family members, and for rental income that can help them afford their own housing costs. These factors primarily apply when ADUs are owned along with the main home and managed by the homeowner, but this may or may not be the case when ADUs can also be sold as separate units. Subsequent additional outreach will gather additional information about community perspectives and preferences which could also influence the City's approach to ADUs.

Frog Pond East and South's greenfield context means that encouraging ADU construction in Frog Pond East and South will require influencing large professional homebuilders rather than individual homeowners. The City already has many important incentives in place, including exempting ADUs from SDCs and allowing land divisions to split them from the main house. While the City has seen little ADU production, this may be a factor of private restrictions that prohibit ADUs in some areas of Wilsonville. These restrictions are no longer allowed, and will not constrain ADUs in Frog Pond East and South.

Removing subtler regulatory obstacles including lot coverage, setbacks, and allowing ADUs with townhouses could help address some of the considerations that homebuilders noted would affect their interest in developing homes with ADUs. Metro's requirement that the City prevent homeowners' associations from requiring owner occupancy for units with ADUs could inadvertently serve as a deterrent to one model of building homes with ADUs that is intended to prevent the homes from becoming investor properties. The City may want to explore with Metro whether this condition could be modified to allow a temporary restriction to owner occupancy for a certain period after initial construction.

# **Neighborhood Commercial Evaluation Initial Feedback Frog Pond East & South**



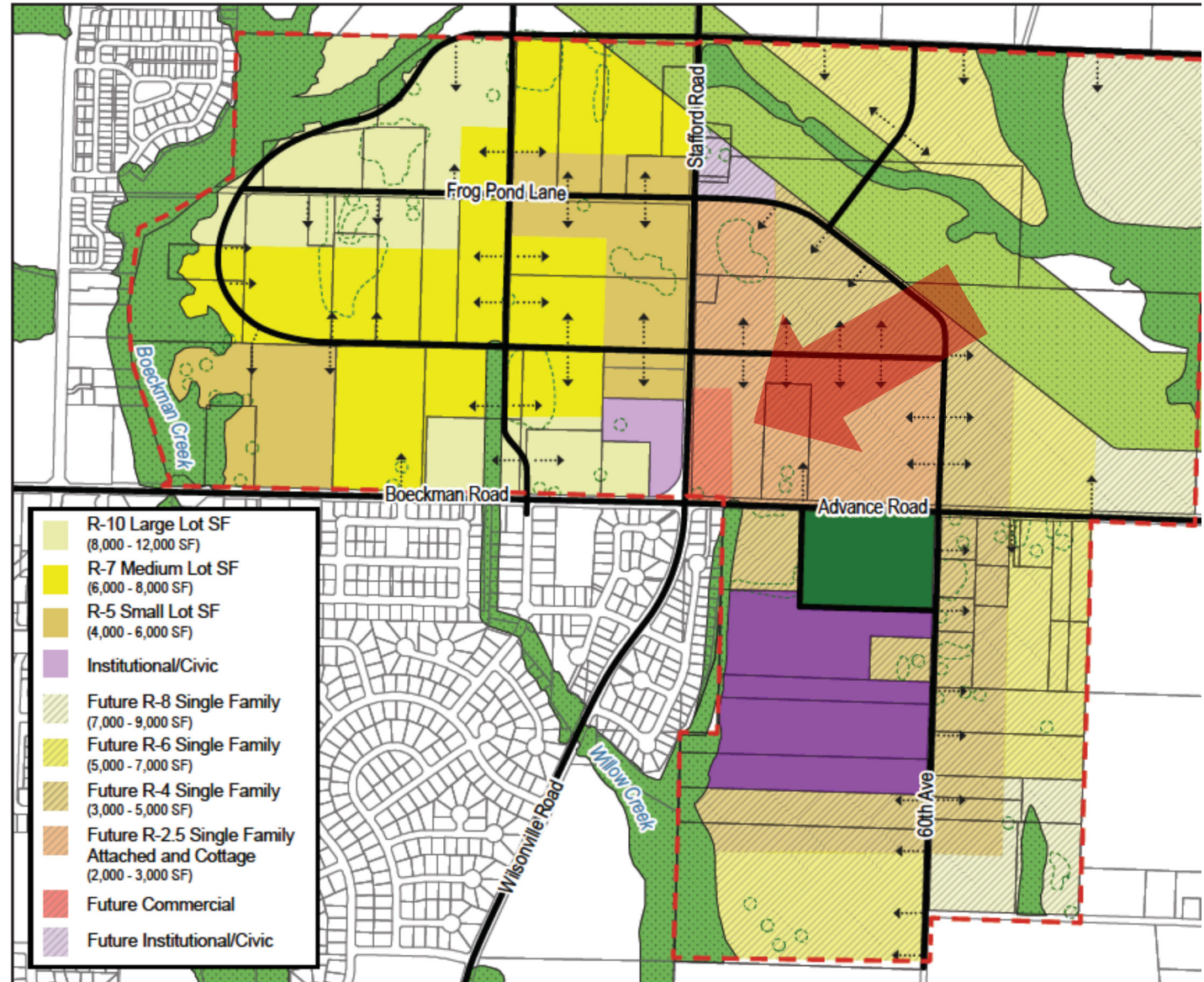
JANUARY 2022

# Overview

- Refresher of Previous Plan/Commercial Analysis
- Overview of the Intended Analysis
- Questions to get early feedback

# Land Use Framework Map

- **Size:** 3.5-acre site
- **Location:** Stafford-Wilsonville-Boeckman-Advance Road intersection (not final)
- **Vision:** A place that provides **local goods and services** within easy access of local neighborhoods, has a **high quality and pedestrian-oriented design**, and serves as a **gathering place** for the community.



# Previous Program & Location

Based on previous research, a 3.5-acre center in the plan could accommodate **~38,000 square feet of retail, small office, and neighborhood services** such as a day care center.

While LCG suggested a location of the neighborhood commercial site, full consensus was never achieved.

LCG will further evaluate the program and location in this master planning project.

# Overview of the Intended Analysis

- Review recent commercial market studies and document market trends
- Interview retail developers and/or brokers.
- Analyze the commercial development market, including commercial supply and demand.
- Determine any unmet community needs.
- Detail opportunities by commercial tenant type, square footage, acreage, parking demands, etc.

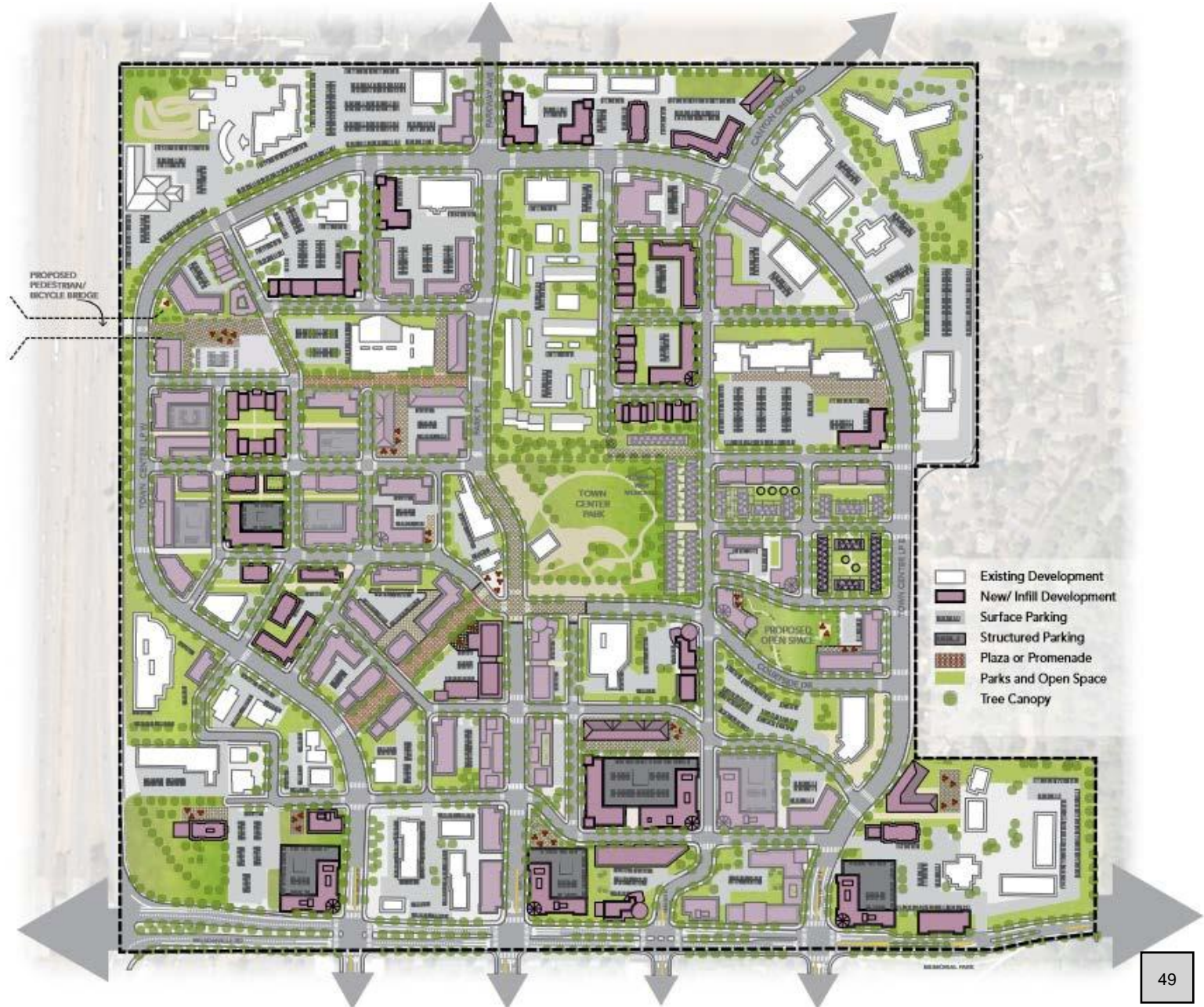
# Retail Trends and Shifting Consumer Behavior Item A.

- Era of unpredictability and risk
- **Growing ecommerce** market share, “Click and Collect”
- **Experience!**
- **Demand for convenience, walkability, 20-minute neighborhoods**
- **Pandemic as the “great retail reset”**
- **More diverse and compelling tenant mixes**
- **Health-based commercial growth**



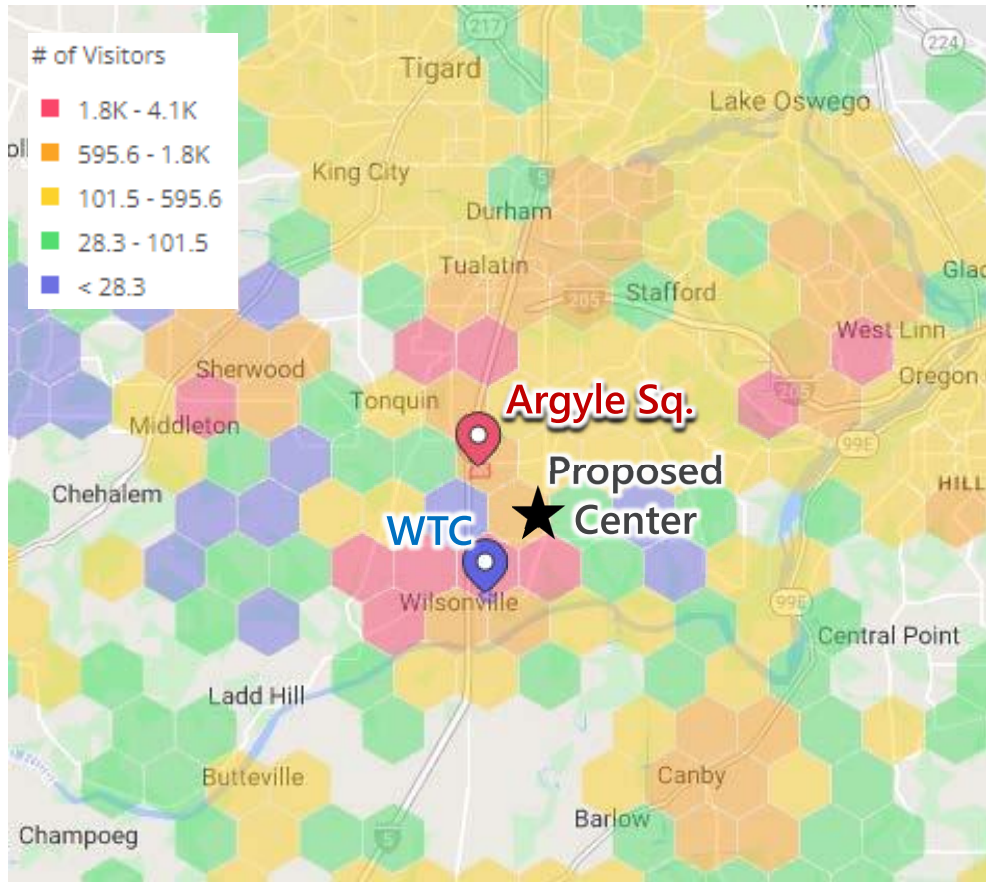
# Retail Supply/Competition

e.g., Wilsonville  
Town Center

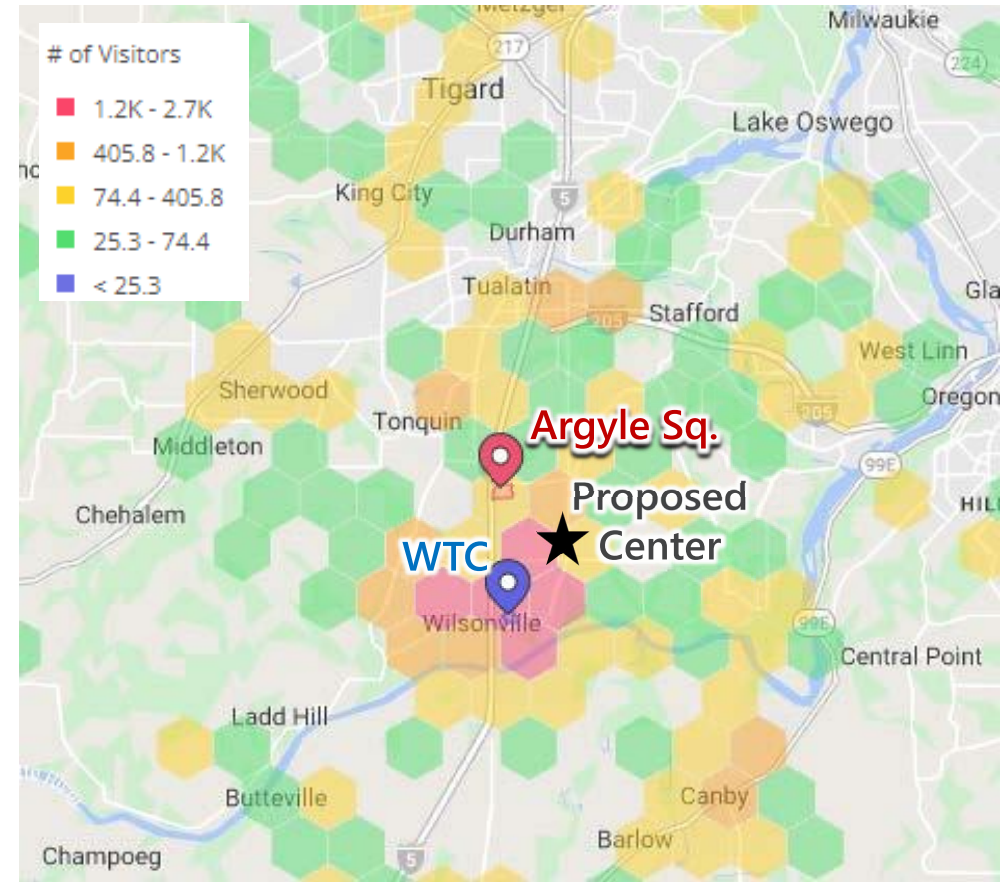


# Nearby Centers Meet Current Demand for Large-Format Retail...

## Argyle Square (Costco, etc.) Trade Area



## Wilsonville Town Center Trade Area



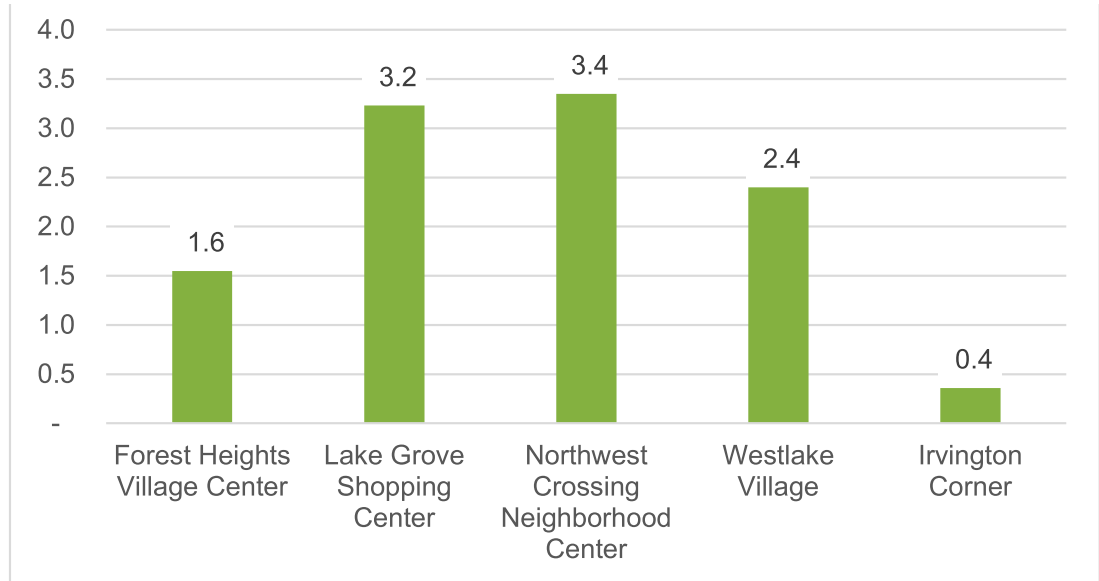
# Case Studies of Neighborhood Retail Nodes Item A.

## Forest Heights Village Center

1.6-acre unanchored strip center

Restaurants, convenience store, service businesses

Surrounded by condominiums



# Other Case Studies... Village on Scholls Ferry

- Unanchored / Freestanding commercial
- 32,000 SF
- 2.9 acres
- Tenants include restaurants, health care/fitness, white collar/office, salon



# Other Case Studies...

## Witch Hazel Village, Hillsboro

Commercial/  
Town Center,  
unbuilt

~5 acres

2004 Plan



Item A.

# Questions

- Has the overall vision for the commercial area changed since 2015?
  - E.g., relationship of Frog Pond to the commercial area
- The location at the corner of Advance and Stafford is not set. What should be considered in determining location?
- Is there anything else you want us to look at?
  - E.g., role of mixed-use and housing in the center, additional case studies to explore, etc.

**CITY COUNCIL ROLLING SCHEDULE****Board and Commission Meetings****Items known as of 03/02/22**

Item 4.

**March**

<b>Date</b>	<b>Day</b>	<b>Time</b>	<b>Event</b>	<b>Location</b>
3/8	Tuesday	6:00 p.m.	Diversity, Equity and Inclusion (DEI) Committee	Virtual
3/9	Wednesday	6:00 p.m.	Planning Commission	Council Chambers
3/14	Monday	6:30 p.m.	DRB Panel A	Council Chambers
3/21	Thursday	7:00 p.m.	City Council Meeting	Council Chambers
3/23	Thursday	6:30 p.m.	Library Board Meeting	Library
3/28	Monday	6:30 p.m.	DRB Panel B	Council Chambers
3/29	Tuesday	6:00 p.m.	Wilsonville-Metro Community Enhancement Committee	Virtual
3/29	Wednesday	6:00 p.m.	Wilsonville-Metro Community Enhancement Committee	Virtual

**April**

<b>Date</b>	<b>Day</b>	<b>Time</b>	<b>Event</b>	<b>Location</b>
4/4	Monday	7:00 p.m.	City Council Meeting	Council Chambers
4/5	Tuesday	6:00 p.m.	Tourism Promotion Committee	Virtual
4/11	Monday	6:30 p.m.	DRB Panel A	Council Chambers
4/12	Tuesday	6:00 p.m.	Diversity, Equity and Inclusion (DEI) Committee	Virtual
4/13	Wednesday	6:00 p.m.	Planning Commission	Council Chambers
4/14	Thursday	4:00 p.m.	Parks and Recreation Advisory Board	Virtual
4/18	Monday	7:00 p.m.	City Council Meeting	Council Chambers
4/25	Monday	6:30 p.m.	DRB Panel B	Council Chambers
4/27	Thursday	6:30 p.m.	Library Board Meeting	Library

**Community Events:**

- 3/8** Quilters from 9:00 a.m. – 11:45 a.m. at the Tauchman House
- 3/8** Watercolor: Through Artist Eyes from 10:10 a.m. - 12:10 p.m. at the Community Center
- 3/8** Toddler and Baby Time from 10:30 a.m. - 11:00 a.m. at the Library
- 3/9** Tai Chi Chih Basics from 10:55 a.m. - 11:55 a.m. at the Community Center
- 3/9** Pinochle/Cribbage from 1:00 p.m. – 4:00 p.m. at the Community Center
- 3/9** Body Sculpt from 5:45 p.m. – 6:45 p.m. at the Stein-Boozier Barn
- 3/10** Ukulele Jam from 9:00 a.m. - 11:00 a.m. at the Parks & Rec. Admin Bldg.
- 3/10** Bridge for Beginners from 10:00 a.m. - 11:30 a.m. at the Community Center
- 3/10** Storytime from 10:30 a.m. - 11:00 a.m. at the Stein-Boozier Barn
- 3/11** Body Sculpt from 10:00 a.m. – 11:00 a.m. at the Stein-Boozier Barn
- 3/11** Bridge Group 1:00 p.m. - 4:00 a.m. at the Community Center
- 3/12** Soccer Shots from 9:00 a.m. – 12:10 p.m. at Memorial Park
- 3/12** Vegetable Seed Starting from 10:00 a.m. – 11:00 a.m. at the Community Center
- 3/12** Wilsonville Town Hall with Representative Courtney Neron from 10:00 a.m. – 11:00 a.m. online
- 3/14** Bridge Group 1:00 p.m. - 4:00 a.m. at the Community Center



# Tualatin Valley Fire & Rescue

## State of The District





# Meeting the Challenge



—  
**Operations**

—  
**Safety**

—  
**Staffing**

# Opportunities to Improve



Officer Development



Recruitment



















Education & Outreach



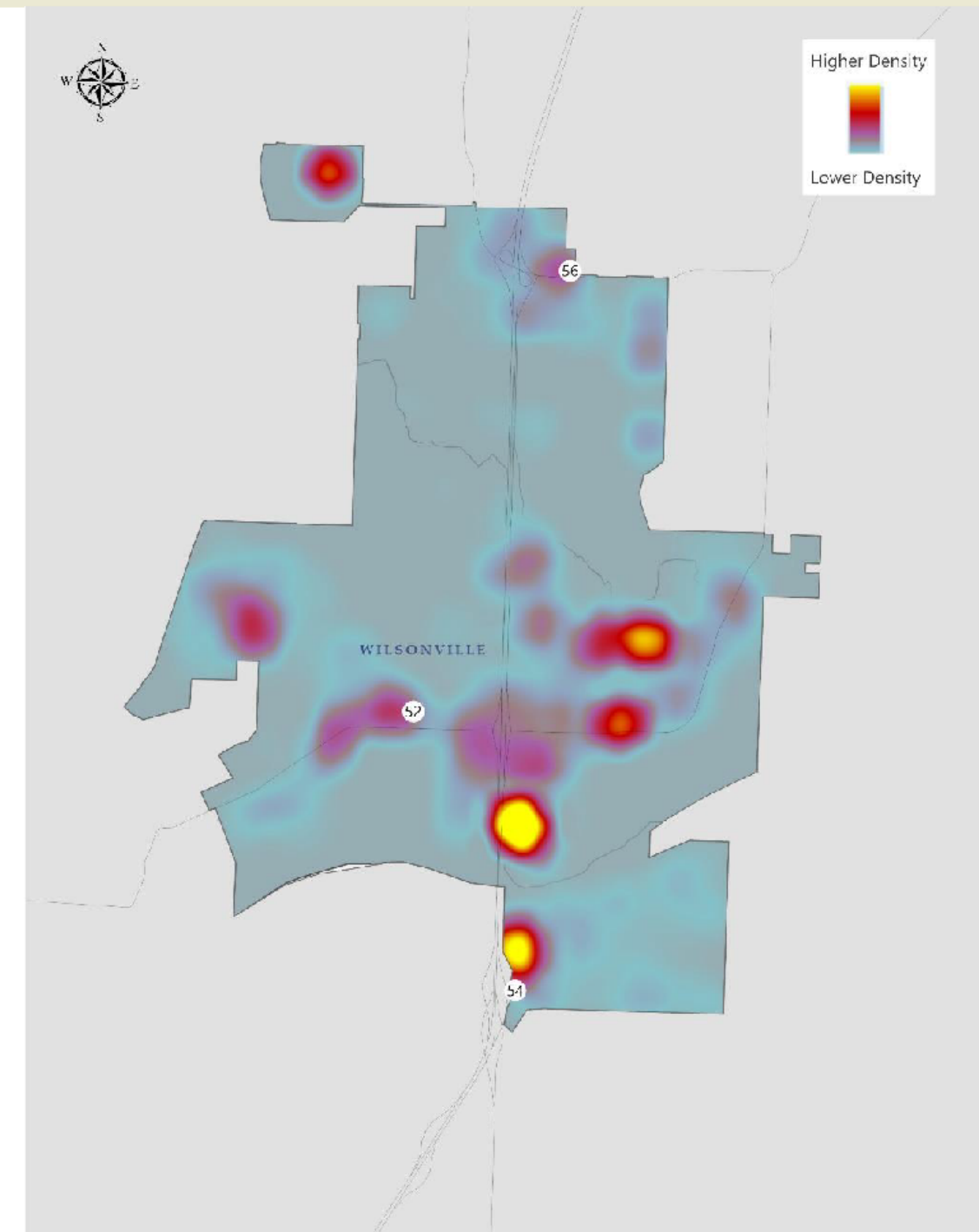
# Voters approve bond measure



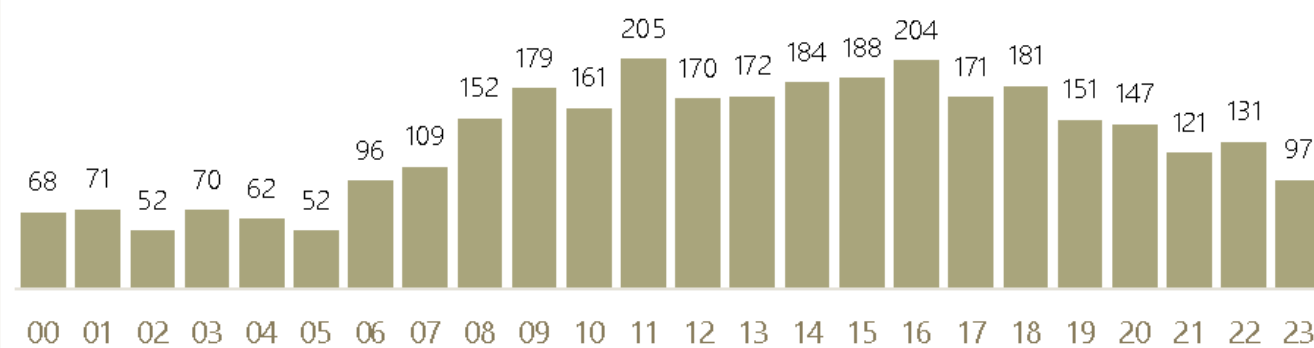
Total Incidents **3,194**

EMS	FIRE	HAZARD	SERVICE	GOOD INTENT	FALSE ALARM	NATURAL CONDITION	OTHER
							
Dispatched As							
<b>2,623</b> 82.1%	<b>294</b> 9.2%	<b>13</b> 0.4%	<b>264</b> 8.3%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%	<b>0</b> 0.0%
Situation Found							
<b>2,423</b> 75.9%	<b>73</b> 2.3%	<b>62</b> 1.9%	<b>135</b> 4.2%	<b>279</b> 8.7%	<b>219</b> 6.9%	<b>1</b> 0.1%	<b>2</b> 0.1%
Incident Sub-Categories							
							
<b>Structure Fires</b>	<b>Cooking Fires</b>	<b>Vehicle Fires</b>	<b>Vegetation Fires</b>	<b>Other Fires</b>	<b>Critical Patients*</b>	<b>MVC with Injury</b>	<b>MVC Unknown Injury</b>
9	6	12	31	15	687	97	56
Structure Fire Types							
Residential 6	Commercial 3						

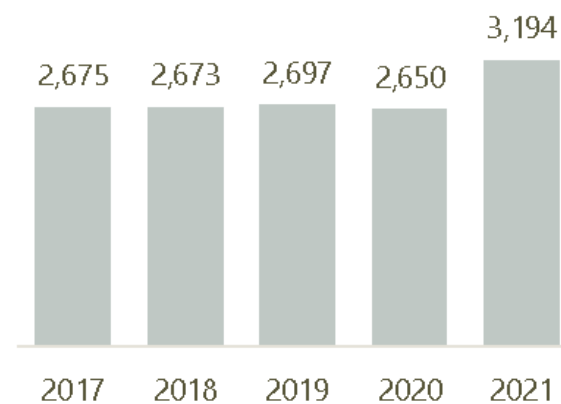
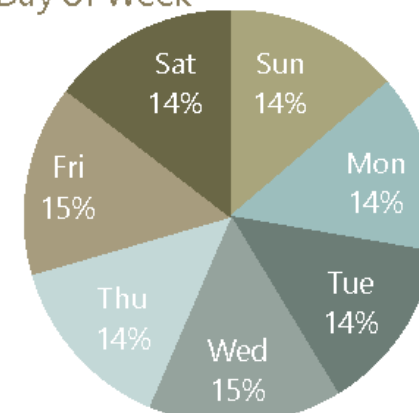
\*Critical Patients: cardiac arrest, chest pain, stroke, seizure, breathing problem, drowning, respiratory distress, respiratory arrest, or trauma system entry.  
"MVC"=motor vehicle crash.



Hour of Day



Day of Week



**Top Station Responses**

Station 52	68%
Station 56	17%
Station 54	8%



Tualatin Valley  
Fire & Rescue  
PARAMEDIC UNIT  
*Serve with Compassion*

R54

R54

CAPT. D. MITCHAE

A. BOYLE

D. ZAGANACZ

LT. S. HOFFMEISTER

K. CAREY

LT. C. LEDSON

# Station 54 in Charbonneau



**Community Health & Resource Management (CHARM) Pilot**  
*pre-pandemic photo*

# Wildfire Training & Legislative Efforts



# SAFETY FIRST

Welcome to TVF&R's Fire and Life Safety Division newsletter for residents and businesses.

Tualatin Valley Fire & Rescue is committed to creating safer communities.


We hope this online newsletter provides you with timely information to enhance the safety of your home, family, and business.

If you have ideas on topics you would like to see covered in future editions of this newsletter or have questions, email [SafetyFirst@tvfr.com](mailto:SafetyFirst@tvfr.com).



### Fire Extinguishers

- ▶ Multiple Types
- ▶ New Code Requirements
  - New and Existing Apartment Buildings
- ▶ Location and Minimum Size Requirements
- ▶ Mounting versus Cabinets
- ▶ Accessibility
- ▶ Maintenance - Annual Service
- ▶ Pool Chemical Storage Consideration
  - Water Mist Extinguisher







Thank  
you.

Questions?





## CITY COUNCIL MEETING STAFF REPORT

<b>Meeting Date:</b> March 7, 2022		<b>Subject: Resolution Nos. 2954, 2955, 2956, 2957 &amp; 2958</b> Property Tax Exemption Requests for Low-Income Housing Held by Charitable, Nonprofit organization including Autumn Park Apartments, Charleston Apartments, Creekside Woods, Rain Garden Apartments, and Wiedemann Apartments.  <b>Staff Member:</b> Katherine Smith, Assistant Finance Director  <b>Department:</b> Finance	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input checked="" type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable  <b>Comments:</b> N/A	
<b>Staff Recommendation:</b> Staff recommends Council adopt the Consent Agenda.			
<b>Recommended Language for Motion:</b> I move to approve the Consent Agenda.			
<b>Project / Issue Relates To:</b>			
<input checked="" type="checkbox"/> Council Goals/Priorities: Affordable Housing	<input type="checkbox"/> Adopted Master Plan(s):	<input type="checkbox"/> Not Applicable	

**ISSUE BEFORE COUNCIL:**

Whether to approve annual property tax exemptions for various properties in the City.

**EXECUTIVE SUMMARY:**

In 1985, the Oregon legislature authorized a property tax exemption for low-income housing held by charitable, nonprofit organizations (ORS 307.540). The tax exemption is to benefit low-income renters by alleviating the property tax burden on those agencies that provide this housing opportunity. Properties must be owned or leased by a 501(c) charitable corporation and provide housing opportunity limited to persons at 60 percent of the area median income (AMI) or less, with an annual exemption application required to the City.

Providing affordable housing in Wilsonville has been a long-standing goal with City Council. The five complexes noted in the chart below have received property tax exemption status in previous years and are in compliance with the requirements stated in ORS 307.540-307.548 (*Nonprofit Corporation, Low Income Housing*) and have submitted the required annual application for exemption continuation. In total, 365 units are currently available for a low-income housing under this program. All properties are required to meet State and Federal funding requirements, which include annual physical inspections, an annual audit of financial activity, and programmatic compliance.

The rate reduction per apartment varies from complex to complex as the reduction is based on the property's tax exemption the property receives and the number of reduced rate units in the complex. The complex passes the tax exemption savings onto their renters and most complexes provide additional services including monthly activities. The properties requesting continuance of the property tax exemption status for low-income housing include:

Apartment	501(c) Corp. Name	Address	No. of Residential Units	2021 Assessed Value	Estimated City Tax Abate
Autumn Park	NW Housing Alternative	10920 SW Wilsonville Rd	144	\$9,148,523	\$42,128
Charleston	NW Housing Alternative	11609 SW Toulouse St	51	\$1,750,955	\$8,063
Creekside Woods	NW Housing Alternative	7825 SW Wilsonville Rd	84	\$2,134,305	\$9,828
Rain Garden	Caritas Community	29197 SW Orleans Ave	29	\$989,781	\$4,558
Wiedemann	Accessible Living Inc.	29940 SW Brown Rd	57	\$2,916,997	\$13,432
TOTALS			365	\$16,940,561	\$78,010

While the State sets the required threshold for low-income housing rental rates, credits such as the Property Tax Abatement allows these organizations to offer rates that are lower than required to qualified tenants. In total, the amount of credit directly related to the property tax exemption from all taxing districts is approximately \$322,458

**EXPECTED RESULTS:**

Council approval of consent agenda resolutions for the property tax exemption requests for Autumn Apartments, Charleston Apartments, Creekside Woods, Rain Garden Apartments and Wiedemann Apartment.

**TIMELINE:**

Applications for renewal requests were due February 8, 2022. Initial property tax exemption requests are required to pay a \$250 application fee for each property. Renewal requests require a \$50 application fee. The City certifies the property tax exemption with the Assessor's office at Clackamas County immediately following Council's approval. The deadline to certify to the Assessor's office is April 1, 2022.

**CURRENT YEAR BUDGET IMPACTS:**

The assessed value of the all exempt properties totals \$16,940,561. Based on property estimation methodology including the effects of the division of taxes, under Urban Renewal, the total amount of forgone property tax revenue for the City is approximately \$78,010. This amount is built into the City's financial planning.

**COMMUNITY INVOLVEMENT PROCESS:**

N/A

**POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

Property tax exemptions assist in the availability of housing for low-income families and individuals.

**ALTERNATIVES:**

1. Discontinue property tax exemption program.
2. Reduce the number of qualifying units.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

1. Resolution No. 2954
  - A. Property Tax Exemption Application
2. Resolution No. 2955
  - A. Property Tax Exemption Application
3. Resolution No. 2956
  - A. Property Tax Exemption Application
4. Resolution No. 2957
  - A. Property Tax Exemption Application
5. Resolution No. 2958
  - A. Property Tax Exemption Application

**RESOLUTION NO. 2954**

**A RESOLUTION OF THE CITY OF WILSONVILLE GRANTING AN EXEMPTION FROM PROPERTY TAXES UNDER ORS 307.540 TO ORS 307.548 FOR AUTUMN PARK APARTMENTS, A LOW-INCOME APARTMENT DEVELOPMENT OWNED AND OPERATED BY NORTHWEST HOUSING ALTERNATIVES, INC.**

WHEREAS, maintaining Wilsonville’s existing affordable housing supply is necessary for its continued health and growth; and,

WHEREAS, Northwest Housing Alternatives (NHA), a not-for-profit organization, has owned and maintained Autumn Park, an affordable housing development located at 10920 SW Wilsonville Road, Wilsonville, Oregon; and,

WHEREAS, Autumn Park includes 144 residential units for people with low income; and,

WHEREAS, NHA is currently seeking to preserve Autumn Park as affordable housing; and,

WHEREAS, a property tax exemption is essential to Autumn Park’s continuation as affordable housing; and,

WHEREAS, ORS 307.540 to 307.548 authorizes property tax exemptions for affordable housing owned by not-for-profit corporations and occupied by low-income persons; and,

WHEREAS, the City of Wilsonville wishes to adopt and/or ratify the policy set forth in those sections; and,

WHEREAS, NHA has requested a property tax exemption for its Autumn Park development, pursuant to ORS 307.543(2); and,

WHEREAS, the City of Wilsonville and West Linn-Wilsonville School District property tax levies jointly comprise of more than 51% of the total combined rate of taxation on Autumn Park Apartments; and,

WHEREAS, NHA has received an exempt status from the West Linn-Wilsonville School District for the Autumn Park for property taxation arising under its jurisdiction unless and until terminated pursuant to ORS 307.548,

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. The City of Wilsonville adopts the provisions of ORS 307.540 to 307.548.

2. NHA and its affordable housing development, Autumn Park, qualify for a property tax exemption pursuant to ORS 307.540 to 307.548.
3. The Assistant Finance Director is directed to request the Clackamas County Assessor to exempt Autumn Park Apartments from taxation by all taxing jurisdictions pursuant to ORS 307.543(2), commencing on the first day of the tax assessment year beginning July 1, 2022.
4. This resolution is effective upon adoption for the upcoming 2022/2023 tax year.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 7<sup>th</sup> day of March 2022 and filed with the Wilsonville City Recorder this date.

---

Julie Fitzgerald, Mayor

ATTEST:

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Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald  
Council President Akervall  
Councilor Lehan  
Councilor West  
Councilor Linville

EXHIBIT:

- A. Property Tax Exemption Application



2316 SE Willard, Milwaukie, Oregon 97222  
p: 503.654.1007 • F: 503.654.1319 • www.nwhousing.org

January 15, 2022

City of Wilsonville  
Attn: Finance Department  
29799 SW Town Center Loop East  
Wilsonville, OR 97070

Dear Katherine,

At the time of submission of our application for property tax exemption, NHA's Wilsonville properties have the following vacancy statistics:

- Autumn Park Apartments – 5 unit vacant, 97% occupancy
- The Charleston Apartments – 0 units vacant, 100% occupancy
- Creekside Woods Apartments – 0 unit vacant, 100% occupancy

These units are intended to be occupied within the year. Like all other units at the properties, they will be available exclusively to eligible low-income persons.

Thank you for your consideration of our application.

Kind Regards,

A handwritten signature in black ink that reads "Trell Anderson". The signature is written in a cursive, flowing style.

Trell Anderson, Executive Director

APPLICATION

PROPERTY TAX EXEMPTION FOR LOW-INCOME HOUSING HELD BY CHARITABLE, NONPROFIT ORGANIZATIONS

(For Office Use Only)

City of Wilsonville, Oregon

\$250 Application Fee \_\_\_\_\_

Date Received: 2/1/22 *ES*

\$50 Renewal Fee \_\_\_\_\_

Receipt No. \_\_\_\_\_

CONTENTS

	Page
Section A. Application Information	1
B. Property to be considered for exemption	2
C. Leasehold Interest in Eligible Property	2
D. Description of Charitable Purpose/Project Benefit	3
E. Declarations	4

Section A – Applicant Information

Corporate Name: Northwest Housing Alternatives

Address: 2316 SE Willard Street, Milwaukie, OR 97222

Telephone: (503) 654-1007

Business

Residence (Optional)

Email Address: [cleveland@nwhousing.org](mailto:cleveland@nwhousing.org) & christensen@nwhousing.org

Chief Executive Officer: Trell Anderson

Contact Person: Ray Hackworth Telephone: (503) 654-1007 x 101



**Section B – Property to be Considered for Exemption**

(Sections B, C, and D must be filled out for each building for which you are requesting a tax exemption)

Organization: Autumn Park Apartments

Property Address: 10920 SW Wilsonville Road, Wilsonville, OR 97070

Assessor's Property Tax Account Number(s): 00818388

(Be sure to identify all account numbers for both land and improvements on the property for which you are requesting tax exemption, in some cases, land and improvements may have separate property tax account numbers.)

Total number of residential units in the building: 144

Number of residential units occupied by very low-income people: 144

Total square feet in building: 116,928

Total square feet used to house very low-income people<sup>1</sup> 116928

**Section C – Leasehold Interest in Eligible Property**

Do you own the property in question?  Yes  No

If you answered "no" to the above question, do you have leasehold interest in the property?  
 Yes  No

If yes, please include a statement describing how, as the nonprofit organization, you are obligated under the terms of the lease to pay the ad valorem taxes on this property or other contractual arrangement such that the property tax exemption benefits accrue to the nonprofit agency and the residential tenants served rather than the owner or corporation from whom you lease.

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<sup>1</sup> This includes halls, baths, dining, and other space dedicated to residential use. Retail uses and other accessory uses not related to residential use are not to be counted.

**Section D – Description Of Charitable Purpose/Project Benefit (Use for multiple projects if same conditions apply)**

Will the cost savings resulting from the proposed tax exemption enable you to do the following?

- 1. Reduce the rents that your very low-income residential tenants pay on the property in question?  Yes  No If so, by approximately how much? \$90 /unit/month
- 2. Provide greater services to your very low income residential tenants?  Yes  No.
- 3. If yes, in what way(s)? All cost savings are passed directly through to the tenants in the form of reduced rents
- 4. Provide any other benefit to your very low-income residential tenants?  Yes  No.

If yes, please explain: NHA Provides a robust Resident Services program that directly benefits the residents

If you lease the property identified in this application, to what extent does your lease agreement coincide with the timeframe of the qualifying tax year? Please Explain:

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**Section B – Property to be Considered for Exemption**

(Sections B, C, and D must be filled out for each building for which you are requesting a tax exemption)

Organization: The Charleston Apartments

Property Address: 11609 SW Toulouse Road, Wilsonville, OR 97070

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Assessor’s Property Tax Account Number(s): 05021215, 05021232

(Be sure to identify all account numbers for both land and improvements on the property for which you are requesting tax exemption, in some cases, land and improvements may have separate property tax account numbers.)

Total number of residential units in the building: 52

Number of residential units occupied by very low-income people: 51

Total square feet in building: 35,493

Total square feet used to house very low-income people<sup>2</sup> 35,493

**Section C – Leasehold Interest in Eligible Property**

Do you own the property in question?  Yes  No

If you answered “no” to the above question, do you have leasehold interest in the property?  
 Yes  No

If yes, please include a statement describing how, as the nonprofit organization, you are obligated under the terms of the lease to pay the ad valorem taxes on this property or other contractual arrangement such that the property tax exemption benefits accrue to the nonprofit agency and the residential tenants served rather than the owner or corporation from whom you lease.

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<sup>2</sup> This includes halls, baths, dining, and other space dedicated to residential use. Retail uses and other accessory uses not related to residential use are not to be counted.

**Section D – Description Of Charitable Purpose/Project Benefit (Use for multiple projects if same conditions apply)**

Will the cost savings resulting from the proposed tax exemption enable you to do the following?

1. Reduce the rents that your very low-income residential tenants pay on the property in question?  Yes  No If so, by approximately how much? \$47 /unit/month
2. Provide greater services to your very low income residential tenants?  Yes  No.
3. If yes, in what way(s)? All cost savings are passed directly through to the tenants in the form of reduced rents
4. Provide any other benefit to your very low-income residential tenants?  Yes  No.

If yes, please explain: NHA Provides a robust Resident Services program that directly benefits the residents

If you lease the property identified in this application, to what extent does your lease agreement coincide with the timeframe of the qualifying tax year? Please Explain:

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**Section B – Property to be Considered for Exemption**

(Sections B, C, and D must be filled out for each building for which you are requesting a tax exemption)

Organization: Creekside Woods Limited Partnership

Property Address: 7825 SW Wilsonville Road, Wilsonville, OR 97070

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Assessor's Property Tax Account Number(s): 05022666

(Be sure to identify all account numbers for both land and improvements on the property for which you are requesting tax exemption, in some cases, land and improvements may have separate property tax account numbers.)

Total number of residential units in the building: 84

Number of residential units occupied by very low-income people: 84

Total square feet in building: 73,042

Total square feet used to house very low-income people<sup>3</sup> 73,042

**Section C – Leasehold Interest in Eligible Property**

Do you own the property in question?  Yes  No

If you answered "no" to the above question, do you have leasehold interest in the property?  
 Yes  No

If yes, please include a statement describing how, as the nonprofit organization, you are obligated under the terms of the lease to pay the ad valorem taxes on this property or other contractual arrangement such that the property tax exemption benefits accrue to the nonprofit agency and the residential tenants served rather than the owner or corporation from whom you lease.

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<sup>3</sup> This includes halls, baths, dining, and other space dedicated to residential use. Retail uses and other accessory uses not related to residential use are not to be counted.

**Section D – Description Of Charitable Purpose/Project Benefit (Use for multiple projects if same conditions apply)**

Will the cost savings resulting from the proposed tax exemption enable you to do the following?

- 1. Reduce the rents that your very low-income residential tenants pay on the property in question?  Yes  No If so, by approximately how much? \$35 /unit/month
- 2. Provide greater services to your very low income residential tenants?  Yes  No.
- 3. If yes, in what way(s)? All cost savings are passed directly through to the tenants in the form of reduced rents
- 4. Provide any other benefit to your very low-income residential tenants?  Yes  No.

If yes, please explain: NHA Provides a robust Resident Services program that directly benefits the residents

If you lease the property identified in this application, to what extent does your lease agreement coincide with the timeframe of the qualifying tax year? Please Explain:

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**Section E- Declarations**

Please read carefully and sign below before a notary.

1. I have attached to this application the IRS declaration of the status of application as a tax exempt corporation under 26 U.S.C. Section 501(c)(3) or (4).
2. I am aware that the income qualifying tenants must meet the income guidelines in accordance with 42 U.S.C. Section 1437 (a)(b)(2) as amended. See Attachment A, Income Eligibility Schedule). Tenant incomes do not exceed these limitations, as I verily believe.
3. I am aware of all requirements for tax exemption imposed by ORS 307.540-307.545 (Chapter 660 Oregon Laws 1985, as amended by Chapter 756 Oregon Laws 1987) and implemented by Resolution No. 1854 of the City of Wilsonville.
4. The above-described properties qualify or will qualify upon completion of any rehabilitation improvements and subsequent occupancy by very low-income residents for property tax exemption within 30 days of the April 1st application or the date of approval.

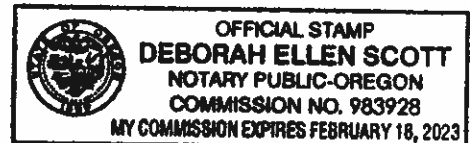
By: Trell Anderson  
Agency Chief Executive Officer (Signature)

Trell Anderson  
Agency Chief Executive officer (Print or typed)

For: Northwest Housing Alternatives  
Corporate Name (Print or type)

Subscribed and sworn to before me this 27<sup>th</sup> day of January, 2022.

Deborah Ellen Scott  
Notary Public For Oregon  
My Commission Expires: February 18, 2023



Internal Revenue Service  
District Director  
P O BOX 486  
LOS ANGELES, CA 900530486

Department of the Treasury

AUG 24 1988

Employer Identification Number:  
93-0814473  
Case Number:  
958131104  
Contact Person:  
TERRY IZUMI  
Contact Telephone Number:  
(213) 894-4170

Date:

NORTHWEST HOUSING ALTERNATIVES INC  
2316 SOUTH EAST WILLARD STREET  
MILWAUKIE, OR 97222

Our Letter Dated:  
Dec.17, 1985  
Caveat Applies:  
no

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization which is not a private foundation until the expiration of your advance ruling period.

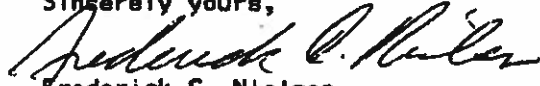
Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Internal Revenue Code, because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi). Your exempt status under section 501(c)(3) of the code is still in effect.

Grantors and contributors may rely on this determination until the Internal Revenue Service publishes a notice to the contrary. However, a grantor or a contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act that resulted in your loss of section 509(a)(1) status, or acquired knowledge that the Internal Revenue Service had given notice that you would be removed from classification as a section 509(a)(1) organization.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If the heading of this letter indicates that a caveat applies, the caveat below or on the enclosure is an integral part of this letter.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,  
  
Frederick C. Nielsen  
District Director

Letter 1050(CG)



**RESOLUTION NO. 2955**

**A RESOLUTION OF THE CITY OF WILSONVILLE GRANTING AN EXEMPTION FROM PROPERTY TAXES UNDER ORS 307.540 TO ORS 307.548 FOR CHARLESTON APARTMENTS, A LOW-INCOME APARTMENT DEVELOPMENT OWNED AND OPERATED BY NORTHWEST HOUSING ALTERNATIVES, INC.**

WHEREAS, maintaining Wilsonville's existing affordable housing supply is necessary for its continued health and growth; and,

WHEREAS, Northwest Housing Alternatives (NHA), a not-for-profit organization, constructed the Charleston Apartments, an affordable housing development located at 11609 SW Toulouse St., Wilsonville, Oregon; and,

WHEREAS, the Charleston Apartments includes 15 units reserved for people with chronic mental illness and the 36 units designated as affordable housing; and,

WHEREAS, NHA is currently seeking to preserve the Charleston Apartments as affordable housing; and,

WHEREAS, a property tax exemption is essential to Charleston Apartment's continuation as affordable housing; and,

WHEREAS, ORS 307.540 to 307.548 authorizes property tax exemptions for affordable housing owned by not-for-profit corporations and occupied by low-income persons; and,

WHEREAS, the City of Wilsonville wishes to adopt and/or ratify the policy set forth in those sections; and,

WHEREAS, NHA has requested a property tax exemption for its Charleston Apartment development, pursuant to ORS 307.543(2); and,

WHEREAS, the City of Wilsonville and West Linn-Wilsonville School District property tax levies jointly comprise of more than 51% of the total combined rate of taxation on Charleston Apartments; and,

WHEREAS, NHA has received an exempt status from the West Linn-Wilsonville School District for the Charleston Apartments for property taxation arising under its jurisdiction unless and until terminated pursuant to ORS 307.548,

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. The City of Wilsonville adopts the provisions of ORS 307.540 to 307.548.
2. NHA and its affordable housing development, Charleston Apartments, qualify for a property tax exemption pursuant to ORS 307.540 to 307.548.

3. The Assistant Finance Director is directed to request the Clackamas County Assessor to exempt Charleston Apartments from taxation by all taxing jurisdictions pursuant to ORS 307.543(2), commencing on the first day of the tax assessment year beginning July 1, 2022.
4. This resolution is effective upon adoption for the upcoming 2022/2023 tax year.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 7<sup>th</sup> day of March 2022 and filed with the Wilsonville City Recorder this date.

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Julie Fitzgerald, Mayor

ATTEST:

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Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald  
Council President Akervall  
Councilor Lehan  
Councilor West  
Councilor Linville

EXHIBIT:

- A. Property Tax Exemption Application



2316 SE Willard, Milwaukie, Oregon 97222  
p: 503.654.1007 • F: 503.654.1319 • www.nwhousing.org

January 15, 2022

City of Wilsonville  
Attn: Finance Department  
29799 SW Town Center Loop East  
Wilsonville, OR 97070

Dear Katherine,

At the time of submission of our application for property tax exemption, NHA's Wilsonville properties have the following vacancy statistics:

- Autumn Park Apartments – 5 unit vacant, 97% occupancy
- The Charleston Apartments – 0 units vacant, 100% occupancy
- Creekside Woods Apartments – 0 unit vacant, 100% occupancy

These units are intended to be occupied within the year. Like all other units at the properties, they will be available exclusively to eligible low-income persons.

Thank you for your consideration of our application.

Kind Regards,

A handwritten signature in black ink that reads "Trell Anderson".

Trell Anderson, Executive Director

**APPLICATION**

**PROPERTY TAX EXEMPTION FOR LOW-INCOME HOUSING HELD BY CHARITABLE, NONPROFIT ORGANIZATIONS**

(For Office Use Only)

City of Wilsonville, Oregon	\$250 Application Fee _____
Date Received: <u>2/1/22</u> <i>ES</i>	\$50 Renewal Fee _____
	Receipt No. _____

**CONTENTS**

	Page
Section A. Application Information	1
B. Property to be considered for exemption	2
C. Leasehold Interest in Eligible Property	2
D. Description of Charitable Purpose/Project Benefit	3
E. Declarations	4

**Section A – Applicant Information**

Corporate Name: Northwest Housing Alternatives

Address: 2316 SE Willard Street, Milwaukie, OR 97222

Telephone: (503) 654-1007 \_\_\_\_\_

Business

Residence (Optional)

Email Address: [cleveland@nwhousing.org](mailto:cleveland@nwhousing.org) & christensen@nwhousing.org

Chief Executive Officer: Trell Anderson

Contact Person: Ray Hackworth Telephone: (503) 654-1007 x 101

**Section B – Property to be Considered for Exemption**

(Sections B, C, and D must be filled out for each building for which you are requesting a tax exemption)

Organization: Autumn Park Apartments

Property Address: 10920 SW Wilsonville Road, Wilsonville, OR 97070

Assessor's Property Tax Account Number(s): 00818388

(Be sure to identify all account numbers for both land and improvements on the property for which you are requesting tax exemption, in some cases, land and improvements may have separate property tax account numbers.)

Total number of residential units in the building: 144

Number of residential units occupied by very low-income people: 144

Total square feet in building: 116,928

Total square feet used to house very low-income people<sup>1</sup> 116928

**Section C – Leasehold Interest in Eligible Property**

Do you own the property in question?  Yes  No

If you answered "no" to the above question, do you have leasehold interest in the property?  
 Yes  No

If yes, please include a statement describing how, as the nonprofit organization, you are obligated under the terms of the lease to pay the ad valorem taxes on this property or other contractual arrangement such that the property tax exemption benefits accrue to the nonprofit agency and the residential tenants served rather than the owner or corporation from whom you lease.

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<sup>1</sup> This includes halls, baths, dining, and other space dedicated to residential use. Retail uses and other accessory uses not related to residential use are not to be counted.

**Section D – Description Of Charitable Purpose/Project Benefit (Use for multiple projects if same conditions apply)**

Will the cost savings resulting from the proposed tax exemption enable you to do the following?

- 1. Reduce the rents that your very low-income residential tenants pay on the property in question?  Yes  No If so, by approximately how much? \$90 /unit/month
- 2. Provide greater services to your very low income residential tenants?  Yes  No.
- 3. If yes, in what way(s)? All cost savings are passed directly through to the tenants in the form of reduced rents
- 4. Provide any other benefit to your very low-income residential tenants?  Yes  No.

If yes, please explain: NHA Provides a robust Resident Services program that directly benefits the residents

If you lease the property identified in this application, to what extent does your lease agreement coincide with the timeframe of the qualifying tax year? Please Explain:

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**Section B – Property to be Considered for Exemption**

(Sections B, C, and D must be filled out for each building for which you are requesting a tax exemption)

Organization: The Charleston Apartments

Property Address: 11609 SW Toulouse Road, Wilsonville, OR 97070

Assessor’s Property Tax Account Number(s): 05021215, 05021232

(Be sure to identify all account numbers for both land and improvements on the property for which you are requesting tax exemption, in some cases, land and improvements may have separate property tax account numbers.)

Total number of residential units in the building: 52

Number of residential units occupied by very low-income people: 51

Total square feet in building: 35,493

Total square feet used to house very low-income people<sup>2</sup> 35,493

**Section C – Leasehold Interest in Eligible Property**

Do you own the property in question?  Yes  No

If you answered “no” to the above question, do you have leasehold interest in the property?  
 Yes  No

If yes, please include a statement describing how, as the nonprofit organization, you are obligated under the terms of the lease to pay the ad valorem taxes on this property or other contractual arrangement such that the property tax exemption benefits accrue to the nonprofit agency and the residential tenants served rather than the owner or corporation from whom you lease.

\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

<sup>2</sup> This includes halls, baths, dining, and other space dedicated to residential use. Retail uses and other accessory uses not related to residential use are not to be counted.

**Section D – Description Of Charitable Purpose/Project Benefit (Use for multiple projects if same conditions apply)**

Will the cost savings resulting from the proposed tax exemption enable you to do the following?

- 1. Reduce the rents that your very low-income residential tenants pay on the property in question?  Yes  No If so, by approximately how much? \$47 /unit/month
- 2. Provide greater services to your very low income residential tenants?  Yes  No.
- 3. If yes, in what way(s)? All cost savings are passed directly through to the tenants in the form of reduced rents
- 4. Provide any other benefit to your very low-income residential tenants?  Yes  No.

If yes, please explain: NHA Provides a robust Resident Services program that directly benefits the residents

If you lease the property identified in this application, to what extent does your lease agreement coincide with the timeframe of the qualifying tax year? Please Explain:

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**Section B – Property to be Considered for Exemption**

(Sections B, C, and D must be filled out for each building for which you are requesting a tax exemption)

Organization: Creekside Woods Limited Partnership

Property Address: 7825 SW Wilsonville Road, Wilsonville, OR 97070

---

Assessor's Property Tax Account Number(s): 05022666

(Be sure to identify all account numbers for both land and improvements on the property for which you are requesting tax exemption, in some cases, land and improvements may have separate property tax account numbers.)

Total number of residential units in the building: 84

Number of residential units occupied by very low-income people: 84

Total square feet in building: 73,042

Total square feet used to house very low-income people<sup>3</sup> 73,042

**Section C – Leasehold Interest in Eligible Property**

Do you own the property in question?  Yes  No

If you answered "no" to the above question, do you have leasehold interest in the property?  
 Yes  No

If yes, please include a statement describing how, as the nonprofit organization, you are obligated under the terms of the lease to pay the ad valorem taxes on this property or other contractual arrangement such that the property tax exemption benefits accrue to the nonprofit agency and the residential tenants served rather than the owner or corporation from whom you lease.

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<sup>3</sup> This includes halls, baths, dining, and other space dedicated to residential use. Retail uses and other accessory uses not related to residential use are not to be counted.

**Section D – Description Of Charitable Purpose/Project Benefit (Use for multiple projects if same conditions apply)**

Will the cost savings resulting from the proposed tax exemption enable you to do the following?

- 1. Reduce the rents that your very low-income residential tenants pay on the property in question?  Yes  No If so, by approximately how much? \$35 /unit/month
- 2. Provide greater services to your very low income residential tenants?  Yes  No.
- 3. If yes, in what way(s)? All cost savings are passed directly through to the tenants in the form of reduced rents
- 4. Provide any other benefit to your very low-income residential tenants?  Yes  No.

If yes, please explain: NHA Provides a robust Resident Services program that directly benefits the residents

If you lease the property identified in this application, to what extent does your lease agreement coincide with the timeframe of the qualifying tax year? Please Explain:

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**Section E- Declarations**

Please read carefully and sign below before a notary.

1. I have attached to this application the IRS declaration of the status of application as a tax exempt corporation under 26 U.S.C. Section 501(c)(3) or (4).
2. I am aware that the income qualifying tenants must meet the income guidelines in accordance with 42 U.S.C. Section 1437 (a)(b)(2) as amended. See Attachment A, Income Eligibility Schedule). Tenant incomes do not exceed these limitations, as I verily believe.
3. I am aware of all requirements for tax exemption imposed by ORS 307.540-307.545 (Chapter 660 Oregon Laws 1985, as amended by Chapter 756 Oregon Laws 1987) and implemented by Resolution No. 1854 of the City of Wilsonville.
4. The above-described properties qualify or will qualify upon completion of any rehabilitation improvements and subsequent occupancy by very low-income residents for property tax exemption within 30 days of the April 1st application or the date of approval.

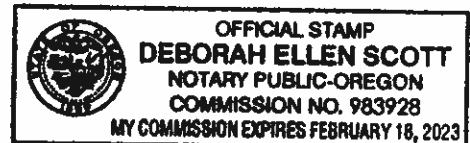
By: Trell Anderson  
Agency Chief Executive Officer (Signature)

Trell Anderson  
Agency Chief Executive officer (Print or typed)

For: Northwest Housing Alternatives  
Corporate Name (Print or type)

Subscribed and sworn to before me this 27<sup>th</sup> day of January, 2022.

Deborah Ellen Scott  
Notary Public For Oregon  
My Commission Expires: February 18, 2023



Internal Revenue Service  
District Director  
P O BOX 486  
LOS ANGELES, CA 900530486

Department of the Treasury

AUG 24 1988

Employer Identification Number:  
93-0814473  
Case Number:  
958131104  
Contact Person:  
TERRY IZUMI  
Contact Telephone Number:  
(213) 894-4170

Date:

NORTHWEST HOUSING ALTERNATIVES INC  
2316 SOUTH EAST WILLARD STREET  
MILWAUKIE, OR 97222

Our Letter Dated:  
Dec.17, 1985  
Caveat Applies:  
no

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization which is not a private foundation until the expiration of your advance ruling period.

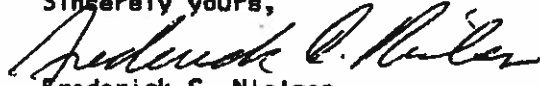
Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Internal Revenue Code, because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi). Your exempt status under section 501(c)(3) of the code is still in effect.

Grantors and contributors may rely on this determination until the Internal Revenue Service publishes a notice to the contrary. However, a grantor or a contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act that resulted in your loss of section 509(a)(1) status, or acquired knowledge that the Internal Revenue Service had given notice that you would be removed from classification as a section 509(a)(1) organization.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If the heading of this letter indicates that a caveat applies, the caveat below or on the enclosure is an integral part of this letter.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,  
  
Frederick C. Nielsen  
District Director

Letter 1050(CG)

**RESOLUTION NO. 2956**

**A RESOLUTION OF THE CITY OF WILSONVILLE GRANTING AN EXEMPTION FROM PROPERTY TAXES UNDER ORS 307.540 TO ORS 307.548 FOR CREEKSIDE WOODS LP, A LOW-INCOME APARTMENT DEVELOPMENT OWNED AND OPERATED BY NORTHWEST HOUSING ALTERNATIVES, INC.**

WHEREAS, maintaining Wilsonville's existing affordable housing supply is necessary for its continued health and growth; and,

WHEREAS, Northwest Housing Alternatives (NHA), a not-for-profit organization, constructed the Creekside Woods LP, an affordable housing development located at 8725 SW Wilsonville Road, Wilsonville, Oregon; and,

WHEREAS, the Creekside Woods LP includes 84 residential units for people with low income; and,

WHEREAS, NHA is currently seeking to preserve Creekside Woods LP as affordable housing; and,

WHEREAS, a property tax exemption is essential to Creekside Woods LP's continuation as affordable housing; and,

WHEREAS, ORS 307.540 to 307.548 authorizes property tax exemptions for affordable housing owned by not-for-profit corporations and occupied by low-income persons; and,

WHEREAS, the City of Wilsonville wishes to adopt and/or ratify the policy set forth in those sections; and,

WHEREAS, NHA has requested a property tax exemption for its Creekside Woods LP development, pursuant to ORS 307.543(2); and,

WHEREAS, the City of Wilsonville and West Linn-Wilsonville School District property tax levies jointly comprise of more than 51% of the total combined rate of taxation on Creekside Woods LP; and,

WHEREAS, NHA has received an exempt status from the West Linn-Wilsonville School District for the Creekside Woods LP for property taxation arising under its jurisdiction unless and until terminated pursuant to ORS 307.548,

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. The City of Wilsonville adopts the provisions of ORS 307.540 to 307.548.
2. NHA and its affordable housing development, Creekside Woods LP, qualify for a property tax exemption pursuant to ORS 307.540 to 307.548.

3. The Assistant Finance Director is directed to request the Clackamas County Assessor to exempt Creekside Woods LP from taxation by all taxing jurisdictions pursuant to ORS 307.543(2), commencing on the first day of the tax assessment year beginning July 1, 2022.
4. This resolution is effective upon adoption for the upcoming 2022/2023 tax year.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 7<sup>th</sup> day of March 2022 and filed with the Wilsonville City Recorder this date.

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Julie Fitzgerald, Mayor

ATTEST:

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Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald  
Council President Akervall  
Councilor Lehan  
Councilor West  
Councilor Linville

EXHIBIT:

- A. Property Tax Exemption Application



2316 SE Willard, Milwaukie, Oregon 97222  
p: 503.654.1007 • F: 503.654.1319 • www.nwhousing.org

January 15, 2022

City of Wilsonville  
Attn: Finance Department  
29799 SW Town Center Loop East  
Wilsonville, OR 97070

Dear Katherine,

At the time of submission of our application for property tax exemption, NHA's Wilsonville properties have the following vacancy statistics:

- Autumn Park Apartments – 5 unit vacant, 97% occupancy
- The Charleston Apartments – 0 units vacant, 100% occupancy
- Creekside Woods Apartments – 0 unit vacant, 100% occupancy

These units are intended to be occupied within the year. Like all other units at the properties, they will be available exclusively to eligible low-income persons.

Thank you for your consideration of our application.

Kind Regards,

A handwritten signature in black ink that reads "Trell Anderson".

Trell Anderson, Executive Director

**APPLICATION**

**PROPERTY TAX EXEMPTION FOR LOW-INCOME HOUSING HELD BY CHARITABLE, NONPROFIT ORGANIZATIONS**

(For Office Use Only)

City of Wilsonville, Oregon

\$250 Application Fee \_\_\_\_\_

Date Received: 2/1/22 *ES*

\$50 Renewal Fee \_\_\_\_\_

Receipt No. \_\_\_\_\_

**CONTENTS**

	Page
Section A. Application Information	1
B. Property to be considered for exemption	2
C. Leasehold Interest in Eligible Property	2
D. Description of Charitable Purpose/Project Benefit	3
E. Declarations	4

**Section A – Applicant Information**

Corporate Name: Northwest Housing Alternatives

Address: 2316 SE Willard Street, Milwaukie, OR 97222

Telephone: (503) 654-1007

Business

Residence (Optional)

Email Address: [cleveland@nwhousing.org](mailto:cleveland@nwhousing.org) & christensen@nwhousing.org

Chief Executive Officer: Trell Anderson

Contact Person: Ray Hackworth Telephone: (503) 654-1007 x 101



**Section B – Property to be Considered for Exemption**

(Sections B, C, and D must be filled out for each building for which you are requesting a tax exemption)

Organization: Autumn Park Apartments

Property Address: 10920 SW Wilsonville Road, Wilsonville, OR 97070

Assessor's Property Tax Account Number(s): 00818388

(Be sure to identify all account numbers for both land and improvements on the property for which you are requesting tax exemption, in some cases, land and improvements may have separate property tax account numbers.)

Total number of residential units in the building: 144

Number of residential units occupied by very low-income people: 144

Total square feet in building: 116,928

Total square feet used to house very low-income people<sup>1</sup> 116928

**Section C – Leasehold Interest in Eligible Property**

Do you own the property in question?  Yes  No

If you answered "no" to the above question, do you have leasehold interest in the property?  
 Yes  No

If yes, please include a statement describing how, as the nonprofit organization, you are obligated under the terms of the lease to pay the ad valorem taxes on this property or other contractual arrangement such that the property tax exemption benefits accrue to the nonprofit agency and the residential tenants served rather than the owner or corporation from whom you lease.

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\_\_\_\_\_

<sup>1</sup> This includes halls, baths, dining, and other space dedicated to residential use. Retail uses and other accessory uses not related to residential use are not to be counted.

**Section D – Description Of Charitable Purpose/Project Benefit (Use for multiple projects if same conditions apply)**

Will the cost savings resulting from the proposed tax exemption enable you to do the following?

- 1. Reduce the rents that your very low-income residential tenants pay on the property in question?  Yes  No If so, by approximately how much? \$90 /unit/month
- 2. Provide greater services to your very low income residential tenants?  Yes  No.
- 3. If yes, in what way(s)? All cost savings are passed directly through to the tenants in the form of reduced rents
- 4. Provide any other benefit to your very low-income residential tenants?  Yes  No.

If yes, please explain: NHA Provides a robust Resident Services program that directly benefits the residents

If you lease the property identified in this application, to what extent does your lease agreement coincide with the timeframe of the qualifying tax year? Please Explain:

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**Section B – Property to be Considered for Exemption**

(Sections B, C, and D must be filled out for each building for which you are requesting a tax exemption)

Organization: The Charleston Apartments

Property Address: 11609 SW Toulouse Road, Wilsonville, OR 97070

Assessor's Property Tax Account Number(s): 05021215, 05021232

(Be sure to identify all account numbers for both land and improvements on the property for which you are requesting tax exemption, in some cases, land and improvements may have separate property tax account numbers.)

Total number of residential units in the building: 52

Number of residential units occupied by very low-income people: 51

Total square feet in building: 35,493

Total square feet used to house very low-income people<sup>2</sup> 35,493

**Section C – Leasehold Interest in Eligible Property**

Do you own the property in question?  Yes  No

If you answered "no" to the above question, do you have leasehold interest in the property?  
 Yes  No

If yes, please include a statement describing how, as the nonprofit organization, you are obligated under the terms of the lease to pay the ad valorem taxes on this property or other contractual arrangement such that the property tax exemption benefits accrue to the nonprofit agency and the residential tenants served rather than the owner or corporation from whom you lease.

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<sup>2</sup> This includes halls, baths, dining, and other space dedicated to residential use. Retail uses and other accessory uses not related to residential use are not to be counted.

**Section D – Description Of Charitable Purpose/Project Benefit (Use for multiple projects if same conditions apply)**

Will the cost savings resulting from the proposed tax exemption enable you to do the following?

- 1. Reduce the rents that your very low-income residential tenants pay on the property in question?  Yes  No If so, by approximately how much? \$47 /unit/month
- 2. Provide greater services to your very low income residential tenants?  Yes  No.
- 3. If yes, in what way(s)? All cost savings are passed directly through to the tenants in the form of reduced rents
- 4. Provide any other benefit to your very low-income residential tenants?  Yes  No.

If yes, please explain: NHA Provides a robust Resident Services program that directly benefits the residents

If you lease the property identified in this application, to what extent does your lease agreement coincide with the timeframe of the qualifying tax year? Please Explain:

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**Section B – Property to be Considered for Exemption**

(Sections B, C, and D must be filled out for each building for which you are requesting a tax exemption)

Organization: Creekside Woods Limited Partnership

Property Address: 7825 SW Wilsonville Road, Wilsonville, OR 97070

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Assessor's Property Tax Account Number(s): 05022666

(Be sure to identify all account numbers for both land and improvements on the property for which you are requesting tax exemption, in some cases, land and improvements may have separate property tax account numbers.)

Total number of residential units in the building: 84

Number of residential units occupied by very low-income people: 84

Total square feet in building: 73,042

Total square feet used to house very low-income people<sup>3</sup> 73,042

**Section C – Leasehold Interest in Eligible Property**

Do you own the property in question?  Yes  No

If you answered "no" to the above question, do you have leasehold interest in the property?

Yes  No

If yes, please include a statement describing how, as the nonprofit organization, you are obligated under the terms of the lease to pay the ad valorem taxes on this property or other contractual arrangement such that the property tax exemption benefits accrue to the nonprofit agency and the residential tenants served rather than the owner or corporation from whom you lease.

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<sup>3</sup> This includes halls, baths, dining, and other space dedicated to residential use. Retail uses and other accessory uses not related to residential use are not to be counted.

**Section D – Description Of Charitable Purpose/Project Benefit (Use for multiple projects if same conditions apply)**

Will the cost savings resulting from the proposed tax exemption enable you to do the following?

- 1. Reduce the rents that your very low-income residential tenants pay on the property in question?  Yes  No If so, by approximately how much? \$35 /unit/month
- 2. Provide greater services to your very low income residential tenants?  Yes  No.
- 3. If yes, in what way(s)? All cost savings are passed directly through to the tenants in the form of reduced rents
- 4. Provide any other benefit to your very low-income residential tenants?  Yes  No.

If yes, please explain: NHA Provides a robust Resident Services program that directly benefits the residents

If you lease the property identified in this application, to what extent does your lease agreement coincide with the timeframe of the qualifying tax year? Please Explain:

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**Section E- Declarations**

Please read carefully and sign below before a notary.

1. I have attached to this application the IRS declaration of the status of application as a tax exempt corporation under 26 U.S.C. Section 501(c)(3) or (4).
2. I am aware that the income qualifying tenants must meet the income guidelines in accordance with 42 U.S.C. Section 1437 (a)(b)(2) as amended. See Attachment A, Income Eligibility Schedule). Tenant incomes do not exceed these limitations, as I verily believe.
3. I am aware of all requirements for tax exemption imposed by ORS 307.540-307.545 (Chapter 660 Oregon Laws 1985, as amended by Chapter 756 Oregon Laws 1987) and implemented by Resolution No. 1854 of the City of Wilsonville.
4. The above-described properties qualify or will qualify upon completion of any rehabilitation improvements and subsequent occupancy by very low-income residents for property tax exemption within 30 days of the April 1st application or the date of approval.

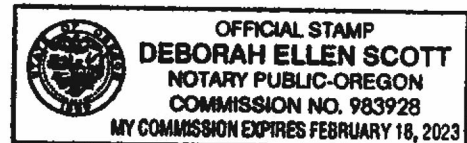
By: Trell Anderson  
Agency Chief Executive Officer (Signature)

Trell Anderson  
Agency Chief Executive officer (Print or typed)

For: Northwest Housing Alternatives  
Corporate Name (Print or type)

Subscribed and sworn to before me this 27<sup>th</sup> day of January, 2022.

Deborah Ellen Scott  
Notary Public For Oregon  
My Commission Expires: February 18, 2023



Internal Revenue Service  
District Director  
P O BOX 486  
LOS ANGELES, CA 900530486

Department of the Treasury

AUG 24 1988

Employer Identification Number:  
93-0814473  
Case Number:  
958131104  
Contact Person:  
TERRY IZUMI  
Contact Telephone Number:  
(213) 894-4170

Date:

NORTHWEST HOUSING ALTERNATIVES INC  
2316 SOUTH EAST WILLARD STREET  
MILWAUKIE, OR 97222

Our Letter Dated:  
Dec.17, 1985  
Caveat Applies:  
no

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization which is not a private foundation until the expiration of your advance ruling period.

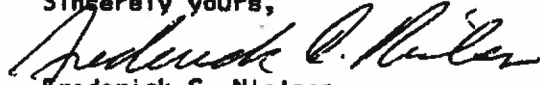
Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Internal Revenue Code, because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi). Your exempt status under section 501(c)(3) of the code is still in effect.

Grantors and contributors may rely on this determination until the Internal Revenue Service publishes a notice to the contrary. However, a grantor or a contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act that resulted in your loss of section 509(a)(1) status, or acquired knowledge that the Internal Revenue Service had given notice that you would be removed from classification as a section 509(a)(1) organization.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If the heading of this letter indicates that a caveat applies, the caveat below or on the enclosure is an integral part of this letter.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,  
  
Frederick C. Nielsen  
District Director

Letter 1050(CG)



**RESOLUTION NO. 2957**

**A RESOLUTION OF THE CITY OF WILSONVILLE GRANTING AN EXEMPTION FROM PROPERTY TAXES UNDER ORS 307.540 TO ORS 307.548 FOR RAIN GARDEN LIMITED PARTNERSHIP, A LOW-INCOME APARTMENT DEVELOPMENT OWNED AND OPERATED BY CARITAS COMMUNITY HOUSING CORPORATION.**

WHEREAS, maintaining Wilsonville's existing affordable housing supply is necessary for its continued health and growth; and,

WHEREAS, Caritas Community Housing Corporation, a not-for-profit organization, constructed the Rain Garden Apartments, an affordable housing development located at 29197 SW Orleans Avenue, Wilsonville, Oregon; and,

WHEREAS, the Rain Garden Apartments includes 29 residential units for people with low income; and

WHEREAS, Caritas Community Housing Corporation is currently seeking to preserve the Rain Garden Apartments as affordable housing; and,

WHEREAS, a property tax exemption is essential to Caritas Community Housing Corporation's continuation as affordable housing; and,

WHEREAS, ORS 307.540 to 307.548 authorizes property tax exemptions for affordable housing owned by not-for-profit corporations and occupied by low-income persons; and,

WHEREAS, the City of Wilsonville wishes to adopt and/or ratify the policy set forth in those sections; and,

WHEREAS, Caritas Community Housing Corporation has requested a property tax exemption for its Rain Garden Apartment development, pursuant to ORS 307.543(2); and,

WHEREAS, the City of Wilsonville and West Linn-Wilsonville School District property tax levies jointly comprise of more than 51% of the total combined rate of taxation on the Caritas Community Housing Corporation at Rain Garden Apartments; and,

WHEREAS, Caritas Community Housing Corporation has received an exempt status from the West Linn-Wilsonville School District for the Rain Garden Apartments for property taxation arising under its jurisdiction unless and until terminated pursuant to ORS 307.548,

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. The City of Wilsonville adopts the provisions of ORS 307.540 to 307.548.
2. Caritas Community Housing Corporation and its affordable housing development, Rain Garden Apartments qualify for a property tax exemption pursuant to ORS 307.540 to 307.548.

3. The Assistant Finance Director is directed to request the Clackamas County Assessor to exempt Rain Garden Apartments from taxation by all taxing jurisdictions pursuant to ORS 307.543(2), commencing on the first day of the tax assessment year beginning July 1, 2022.
4. This resolution is effective upon adoption for the upcoming 2022/2023 tax year.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 7<sup>th</sup> day of March 2022 and filed with the Wilsonville City Recorder this date.

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Julie Fitzgerald, Mayor

ATTEST:

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Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald  
Council President Akervall  
Councilor Lehan  
Councilor West  
Councilor Linville

EXHIBIT:

- A. Property Tax Exemption Application

# CITY OF WILSONVILLE

## Instructions and Application for Property Tax Exemption For Low-Income Housing Held by Charitable, Nonprofit Organizations

Please note that the City requires a copy of the IRS declaration of the status of application as a tax exempt corporation under 26 U.S.C. Section 501(c)(3) or (4) for each application.

## Instructions and Application for property Tax Exemption For Very Low-Income Housing Held by Charitable, Nonprofit Organizations

### What is It?

The 1985 Oregon legislature authorized a property tax exemption for low-income housing held by charitable, non-profit organizations.<sup>1</sup> The tax exemption is intended to benefit low-income renters and is available for qualifying property located within the City of Wilsonville.

### Who is Eligible?

- Charitable, non-profit organizations that provide housing to low-income persons<sup>2</sup> are eligible.
- The organization must be certified by the Internal Revenue Services as 501(c) (3) or (4).
- Organizations must own or have a leasehold interest in the property or participate in a partnership so long as the non-profit organization is responsible for the day-to-day management of the property. The site must be occupy-able during the upcoming tax year by income eligible households, although vacant land intended to be developed as low-income housing is eligible for the exemption provided under this program.
- Applicants who are leaseholders must have a sign leasehold agreement by the April 1st application deadline. *Applicants may also apply for the exemption for properties expected to be acquired by July 1 of the tax year but the application form must be submitted by the February 8th deadline.*

Note: You may already be exempted from taxation under the statutory provision for qualifying benevolent, charitable and scientific institutions or for nonprofit organizations providing housing and *care* to the elderly. These two programs are administered by Clackamas County.

If you qualify for these other programs, please do not complete this application. Questions concerning these exemptions should be directed to the Clackamas County Division of Assessment and Taxation at 503-655-8671

### What is Eligible?

Only the residential portion of a property located within the City of Wilsonville, which is used to house low-income people, is eligible for a property tax exemption. For example, the commercial space in a mixed-use building would not be eligible for tax exemption. Application for the exemption must be made *annually*.

### Who Administers the Program?

The City of Wilsonville's Finance Department administers this program. Please call Katherine Smith, Assistant Finance Director at (503) 570-1511 if you have questions.

<sup>1</sup> SB 503 Chapter 660 Oregon's Laws 1985 and chapter 108 Oregon Laws 1993 amending Oregon Revised Statutes 307.540-.548.

<sup>2</sup> "Low-income persons" are individuals earning 60% or less of the area median income. See Income Eligibility Schedule (Attachment A) [U.S.C. Section 1437(a)(b)(2)].

**How to Apply?**

Submit a completed application, which includes the following:

1. A complete application – complete Section A and E for your organization. Complete Sections B, C, and D for *each* building for which a property tax exemption is being requested.
2. All applications must be signed and notarized – Section E is required to be notarized for each organization and application only, *not for each building*.
3. New applications must include a copy of IRS 501(c)(3) or (4) letter certifying your organization's eligible charitable nonprofit status.
4. Application fee – Attach a check or money order payable to the City of Wilsonville in the amount of \$250 for new applications and \$50 for renewal applications. Application fee is for each organization, not each building, however the renewal fee is per building. Applicants who apply for exemptions by the April 1 deadline do not need to pay an additional fee to apply for exemption for property acquired before the July 1 purchase deadline.
5. **Applications must be received at the City of Wilsonville Finance Department no later than February 8th. *Applications received after this date will not be accepted.*** Submit applications to the address below: City of Wilsonville, Attn: Finance Department, 29799 SW Town Center Loop East, Wilsonville, OR 97070
6. If you have any questions about the application, please call Katherine Smith, Assistant Finance Director at (503) 570-1511.

## ATTACHMENT A

## 2021-22 INCOME ELIGIBILITY SCHEDULE

The following income eligibility schedule is to be used in determining the amount of eligible property. Only units which are intended for occupancy by households with incomes at or below these income guidelines are eligible for the exemption.

Household Size	Household Income Not To Exceed <sup>3</sup>
1	\$29,334
2	38,373
3	47,402
4	56,430
5	65,459
6	74,488

Note: Unoccupied housing units at the time of application may be included in the total eligible units if the applicant meets the following conditions:

1. The units will be available exclusively to eligible low-income persons;
2. The units are intended to be occupied within the year;
3. The applicant must provide a written statement to the effect of 1 and 2 above, and attach it to the application.

(Source: <https://www.oregon.gov/ohcs/energy-weatherization/Pages/utility-bill-payment-assistance.aspx>  
Oregon Low Income Energy Assistance Program)

APPLICATION

PROPERTY TAX EXEMPTION FOR LOW-INCOME HOUSING HELD BY CHARITABLE, NONPROFIT ORGANIZATIONS

(For Office Use Only)

City of Wilsonville, Oregon

\$250 Application Fee \_\_\_\_\_

Date Received: 2/8/22 *Kjo.*

\$50 Renewal Fee  \_\_\_\_\_

Receipt No. \_\_\_\_\_

CONTENTS

	Page
Section A. Application Information	1
B. Property to be considered for exemption	2
C. Leasehold Interest in Eligible Property	2
D. Description of Charitable Purpose/Project Benefit	3
E. Declarations	4

Section A – Applicant Information

Corporate Name: Rain Garden LP c/o Caritas Community Housing Corporation

Address: 2740 SE Powell Boulevard

Portland, Oregon 97202

Telephone: (503) 688-2650 N/A  
Business Residence (Optional)

Email Address: kmorrison@ccoregon.org

Chief Executive Officer: Travis Phillips

Contact Person: Karmen Morrison Telephone: (503) 231-4866

**Section B – Property to be Considered for Exemption**

(Sections B, C, and D must be filled out for each building for which you are requesting a tax exemption)

Organization: Rain Garden LP

Property Address: 29197 SW Orleans Avenue, Wilsonville, OR 97070

Assessor's Property Tax Account Number(s): 31W15DB07500

(Be sure to identify all account numbers for both land and improvements on the property for which you are requesting tax exemption, in some cases, land and improvements may have separate property tax account numbers.)

Total number of residential units in the building: 29

Number of residential units occupied by very low-income people: 29

Total square feet in building: 21,243

Total square feet used to house very low-income people<sup>4</sup> 21,243

**Section C – Leasehold Interest in Eligible Property**

Do you own the property in question?  Yes  No

If you answered "no" to the above question, do you have leasehold interest in the property?  
 Yes  No

If yes, please include a statement describing how, as the nonprofit organization, you are obligated under the terms of the lease to pay the ad valorem taxes on this property or other contractual arrangement such that the property tax exemption benefits accrue to the nonprofit agency and the residential tenants served rather than the owner or corporation from whom you lease.

Caritas Community Housing corporation (CCHC) a subsidiary of Catholic Charities. Catholic Charities is the non-profit sole member of the ownership entity general partner Rain Garden GP LLC. CCHC is responsible for ensuring that all operating costs are paid, including taxes due. The very low-income residents of Rain Garden are charged rents well below market. The savings realized from the property tax exemption are passed through to reduce rents.

<sup>4</sup> This includes halls, baths, dining, and other space dedicated to residential use. Retail uses and other accessory uses not related to residential use are not to be counted.



**Section D – Description Of Charitable Purpose/Project Benefit (Use for multiple projects if same conditions apply)**

Will the cost savings resulting from the proposed tax exemption enable you to do the following?

- 1. Reduce the rents that your very low-income residential tenants pay on the property in question?  Yes  No If so, by approximately how much? \$75.00  
(although rent amounts are reduced below market by a greater amount than just the tax savings)
- 2. Provide greater services to your very low income residential tenants?  Yes  No.
- 3. If yes, in what way(s)? By reducing costs allows us to continue to partner with organizations such as Cascadia Behavioral Health to provide residents with services
- 4. Provide any other benefit to your very low-income residential tenants?  Yes  No.  
If yes, please explain: Preserves financial stability, and therefore longevity, of the project

If you lease the property identified in this application, to what extent does your lease agreement coincide with the timeframe of the qualifying tax year? Please Explain:

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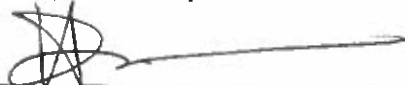
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**Section E- Declarations**

Please read carefully and sign below before a notary.

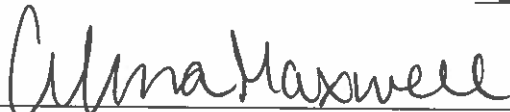
1. I have attached to this application the IRS declaration of the status of application as a tax exempt corporation under 26 U.S.C. Section 501(c)(3) or (4).
2. I am aware that the income qualifying tenants must meet the income guidelines in accordance with 42 U.S.C. Section 1437 (a)(b)(2) as amended. See Attachment A, Income Eligibility Schedule). Tenant incomes do not exceed these limitations, as I verily believe.
3. I am aware of all requirements for tax exemption imposed by ORS 307.540-307.545 (Chapter 660 Oregon Laws 1985, as amended by Chapter 756 Oregon Laws 1987) and implemented by Resolution No. 1854 of the City of Wilsonville.
4. The above-described properties qualify or will qualify upon completion of any rehabilitation improvements and subsequent occupancy by very low-income residents for property tax exemption within 30 days of the April 1st application or the date of approval.

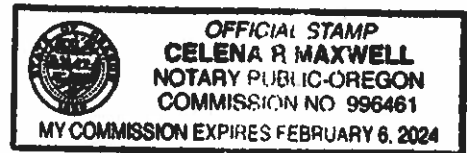
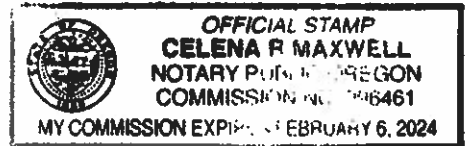
By:   
 Agency Chief Executive Officer (Signature)

Travis Phillips  
 Agency Chief Executive officer (Print or typed)

For: Caritas Community Housing Corporation, sole member of Rain Garden GP, LLC, general partner of Rain Garden LP  
 Corporate Name (Print or type)

Subscribed and sworn to before me this 3<sup>rd</sup> day of February, 2022.

  
 Notary Public For Oregon  
 My Commission Expires: 2/6/2024



**RESOLUTION NO. 2958****A RESOLUTION OF THE CITY OF WILSONVILLE GRANTING AN EXEMPTION FROM PROPERTY TAXES UNDER ORS 307.540 TO ORS 307.548 FOR WIEDEMANN PARK, A LOW-INCOME APARTMENT DEVELOPMENT OWNED AND OPERATED BY ACCESSIBLE LIVING, INC.**

WHEREAS, maintaining Wilsonville's existing affordable housing supply is necessary for its continued health and growth; and,

WHEREAS, Accessible Living, Inc., a not-for-profit organization, owns and manages the Wiedemann Park Apartments, an affordable housing development located at 29940 SW Brown Road, Wilsonville, Oregon; and,

WHEREAS, Wiedemann Park includes 57 residential units for seniors with low income; and,

WHEREAS, Accessible Living, Inc. is currently seeking to preserve Wiedemann Park as affordable housing; and,

WHEREAS, a property tax exemption is essential to Wiedemann Park's continuation as affordable housing; and,

WHEREAS, ORS 307.540 to 307.548 authorizes property tax exemptions for affordable housing owned by not-for-profit corporations and occupied by low-income persons; and,

WHEREAS, the City of Wilsonville wishes to adopt and/or ratify the policy set forth in those sections; and,

WHEREAS, Accessible Living Inc. has requested a property tax exemption for its Wiedemann Park development, pursuant to ORS 307.543(2); and,

WHEREAS, the City of Wilsonville and West Linn-Wilsonville School District property tax levies jointly comprise of more than 51% of the total combined rate of taxation on Accessible Living Inc.'s development at Wiedemann Park; and,

WHEREAS, Accessible Living, Inc. has received an exempt status from the West Linn-Wilsonville School District for the Wiedemann Park for property taxation arising under its jurisdiction unless and until terminated pursuant to ORS 307.548,

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. The City of Wilsonville adopts the provisions of ORS 307.540 to 307.548.
2. Accessible Living, Inc. and its affordable housing development, Wiedemann Park, qualify for a property tax exemption pursuant to ORS 307.540 to 307.548.

3. The Assistant Finance Director is directed to request the Clackamas County Assessor to exempt Wiedemann Park Apartments from taxation by all taxing jurisdictions pursuant to ORS 307.543(2), commencing on the first day of the tax assessment year beginning July 1, 2022.
4. This resolution is effective upon adoption for the upcoming 2022/2023 tax year.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 7<sup>th</sup> day of March 2022 and filed with the Wilsonville City Recorder this date.

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Julie Fitzgerald, Mayor

ATTEST:

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Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald  
Council President Akervall  
Councilor Lehan  
Councilor West  
Councilor Linville

EXHIBIT:

- A. Property Tax Exemption Application

# CITY OF WILSONVILLE

## Instructions and Application for Property Tax Exemption For Low-Income Housing Held by Charitable, Nonprofit Organizations

**Please note that the City requires a copy of the IRS declaration of the status of application as a tax exempt corporation under 26 U.S.C. Section 501(c)(3) or (4) for each application.**

## **Instructions and Application for property Tax Exemption For Very Low-Income Housing Held by Charitable, Nonprofit Organizations**

### **What is It?**

The 1985 Oregon legislature authorized a property tax exemption for low-income housing held by charitable, non-profit organizations.<sup>1</sup> The tax exemption is intended to benefit low-income renters and is available for qualifying property located within the City of Wilsonville.

### **Who is Eligible?**

- Charitable, non-profit organizations that provide housing to low-income persons<sup>2</sup> are eligible.
- The organization must be certified by the Internal Revenue Services as 501(c) (3) or (4).
- Organizations must own or have a leasehold interest in the property or participate in a partnership so long as the non-profit organization is responsible for the day-to-day management of the property. The site must be occupy-able during the upcoming tax year by income eligible households, although vacant land intended to be developed as low-income housing is eligible for the exemption provided under this program.
- Applicants who are leaseholders must have a sign leasehold agreement by the April 1st application deadline. *Applicants may also apply for the exemption for properties expected to be acquired by July 1 of the tax year but the application form must be submitted by the February 8th deadline.*

Note: You may already be exempted from taxation under the statutory provision for qualifying benevolent, charitable and scientific institutions or for nonprofit organizations providing housing and *care* to the elderly. These two programs are administered by Clackamas County.

If you qualify for these other programs, please do not complete this application. Questions concerning these exemptions should be directed to the Clackamas County Division of Assessment and Taxation at 503-655-8671

### **What is Eligible?**

Only the residential portion of a property located within the City of Wilsonville, which is used to house low-income people, is eligible for a property tax exemption. For example, the commercial space in a mixed-use building would not be eligible for tax exemption. Application for the exemption must be made *annually*.

### **Who Administers the Program?**

The City of Wilsonville's Finance Department administers this program. Please call Katherine Smith, Assistant Finance Director at (503) 570-1511 if you have questions.

<sup>1</sup> SB 503 Chapter 660 Oregon's Laws 1985 and chapter 108 Oregon Laws 1993 amending Oregon Revised Statutes 307.540-.548.

<sup>2</sup> "Low-income persons" are individuals earning 60% or less of the area median income. See Income Eligibility Schedule (Attachment A) [U.S.C. Section 1437(a)(b)(2)].

**How to Apply?**

Submit a completed application, which includes the following:

1. A complete application – complete Section A and E for your organization. Complete Sections B, C, and D for *each* building for which a property tax exemption is being requested.
2. All applications must be signed and notarized – Section E is required to be notarized for each organization and application only, *not for each building*.
3. New applications must include a copy of IRS 501(c)(3) or (4) letter certifying your organization’s eligible charitable nonprofit status.
4. Application fee – Attach a check or money order payable to the City of Wilsonville in the amount of \$250 for new applications and \$50 for renewal applications. Application fee is for each organization, not each building, however the renewal fee is per building. Applicants who apply for exemptions by the April 1 deadline do not need to pay an additional fee to apply for exemption for property acquired before the July 1 purchase deadline.
5. **Applications must be received at the City of Wilsonville Finance Department no later than February 8th. *Applications received after this date will not be accepted.*** Submit applications to the address below: City of Wilsonville, Attn: Finance Department, 29799 SW Town Center Loop East, Wilsonville, OR 97070
6. If you have any questions about the application, please call Katherine Smith, Assistant Finance Director at (503) 570-1511.

**ATTACHMENT A**

**2021-22 INCOME ELIGIBILITY SCHEDULE**

The following income eligibility schedule is to be used in determining the amount of eligible property. Only units which are intended for occupancy by households with incomes at or below these income guidelines are eligible for the exemption.

<b>Household Size</b>	<b>Household Income Not To Exceed<sup>3</sup></b>
1	\$29,334
2	38,373
3	47,402
4	56,430
5	65,459
6	74,488

Note: Unoccupied housing units at the time of application may be included in the total eligible units if the applicant meets the following conditions:

1. The units will be available exclusively to eligible low-income persons;
2. The units are intended to be occupied within the year;
3. The applicant must provide a written statement to the effect of 1 and 2 above, and attach it to the application.

(Source: <https://www.oregon.gov/ohcs/energy-weatherization/Pages/utility-bill-payment-assistance.aspx>  
Oregon Low Income Energy Assistance Program)



**APPLICATION**

**PROPERTY TAX EXEMPTION FOR LOW-INCOME HOUSING HELD BY CHARITABLE, NONPROFIT ORGANIZATIONS**

(For Office Use Only)

City of Wilsonville, Oregon	\$250 Application Fee _____
Date Received: <u>7/5/22</u> KJ.	\$50 Renewal Fee _____
	Receipt No. _____

**CONTENTS**

	Page
Section A. Application Information	1
B. Property to be considered for exemption	2
C. Leasehold Interest in Eligible Property	2
D. Description of Charitable Purpose/Project Benefit	3
E. Declarations	4

**Section A – Applicant Information**

Corporate Name: Accessible Living Inc.

Address: 3245 SW 182<sup>nd</sup> Ave., Aloha, OR 97006

Telephone: 503-272-8908	503-740-3931
Business	Residence (Optional)

Email Address: karen@housingindependence.org

Chief Executive Officer: Karen Voiss

Contact Person: Karen Voiss Telephone: 503-272-8908

**Section B – Property to be Considered for Exemption**

(Sections B, C, and D must be filled out for each building for which you are requesting a tax exemption)

Organization: Wiedemann Park Apartments Limited Partnership

Property Address: 29940 SW Brown Rd., Wilsonville, OR 97070

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Assessor’s Property Tax Account Number(s): #00810590, #05001064

(Be sure to identify all account numbers for both land and improvements on the property for which you are requesting tax exemption, in some cases, land and improvements may have separate property tax account numbers.)

Total number of residential units in the building: 58

Number of residential units occupied by very low-income people: 57

Total square feet in building: 45,999

Total square feet used to house very low-income people<sup>4</sup>: 45,999

**Section C – Leasehold Interest in Eligible Property**

Do you own the property in question?  Yes  No

If you answered “no” to the above question, do you have leasehold interest in the property?  
 Yes  No

If yes, please include a statement describing how, as the nonprofit organization, you are obligated under the terms of the lease to pay the ad valorem taxes on this property or other contractual arrangement such that the property tax exemption benefits accrue to the nonprofit agency and the residential tenants served rather than the owner or corporation from whom you lease.

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<sup>4</sup> This includes halls, baths, dining, and other space dedicated to residential use. Retail uses and other accessory uses not related to residential use are not to be counted.

**Section D – Description Of Charitable Purpose/Project Benefit (Use for multiple projects if same conditions apply)**

Will the cost savings resulting from the proposed tax exemption enable you to do the following?

- 1. Reduce the rents that your very low-income residential tenants pay on the property in question?  Yes  No If so, by approximately how much? \_\_\_\_\_
- 2. Provide greater services to your very low income residential tenants?  Yes  No.
- 3. If yes, in what way(s)? The exemption will ensure residents services continue to be provided per the OHCS management plan.
- 4. Provide any other benefit to your very low-income residential tenants?  Yes  No.  
If yes, please explain: \_\_\_\_\_

If you lease the property identified in this application, to what extent does your lease agreement coincide with the timeframe of the qualifying tax year? Please Explain:

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**Section E- Declarations**

Please read carefully and sign below before a notary.

1. I have attached to this application the IRS declaration of the status of application as a tax exempt corporation under 26 U.S.C. Section 501(c)(3) or (4).
2. I am aware that the income qualifying tenants must meet the income guidelines in accordance with 42 U.S.C. Section 1437 (a)(b)(2) as amended. See Attachment A, Income Eligibility Schedule). Tenant incomes do not exceed these limitations, as I verily believe.
3. I am aware of all requirements for tax exemption imposed by ORS 307.540-307.545 (Chapter 660 Oregon Laws 1985, as amended by Chapter 756 Oregon Laws 1987) and implemented by Resolution No. 1854 of the City of Wilsonville.
4. The above-described properties qualify or will qualify upon completion of any rehabilitation improvements and subsequent occupancy by very low-income residents for property tax exemption within 30 days of the April 1st application or the date of approval.

By: Karen Voiss Karen A. Voiss  
Agency Chief Executive Officer (Signature)

Karen A. Voiss  
Agency Chief Executive officer (Print or typed)

For: Accessible Living Inc. \_\_\_\_\_  
Corporate Name (Print or type)

Subscribed and sworn to before me this 13<sup>th</sup> day of January, 2022.

Elisabeth G. Bennett  
Notary Public For Oregon  
My Commission Expires: July 16, 2022





January 12, 2022

Wiedemann Park is comprised of 34, 1-bedroom apartments and 24, 2-bedroom apartments. One-bedroom allowable rent is \$1,158 per unit for a total allowable of \$39,372 monthly. The two-bedroom allowable rents are \$1,392, for \$33,408. The total allowable monthly rents are \$72,780.

Actual total monthly rents are \$50,651. The difference is  $\$22,129 * 12 = \$265,548$  in annual savings.



**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b> March 7, 2022		<b>Subject: Resolution No. 2960</b> Oregon State Parks Local Government Grant Program	
		<b>Staff Member:</b> Dustin Schull, Parks Supervisor	
		<b>Department:</b> Parks and Recreation	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input checked="" type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable	
		<b>Comments:</b> N/A	
<b>Staff Recommendation:</b> Staff recommends Council adopt the Consent Agenda.			
<b>Recommended Language for Motion:</b> I move to approve the Consent Agenda.			
<b>Project / Issue Relates To:</b> Pursuing a grant from Oregon State Parks			
<input checked="" type="checkbox"/> Council Goals/Priorities:		<input type="checkbox"/> Adopted Master Plan(s):	<input type="checkbox"/> Not Applicable

**ISSUE BEFORE COUNCIL:**

A resolution by council is required by Oregon State Parks to have a project considered for the Local Government Grant Program (LGGP). The Parks and Recreation team is submitting the Park at Merryfield Trail Rehabilitation Project to the LGGP and is requesting a resolution approval by City Council.

**EXECUTIVE SUMMARY:**

This project will revitalize and update trail connectivity in the Park at Merryfield. The current trail has ADA slope concerns and is moving into a state of continued needed maintenance. The .16 mile asphalt trail built prior to the year 2000, will be widened and striped to improve safety. ADA improvements will be made to ensure the trail and connected playground are accessible to all community members. The Park at Merryfield trail system has been identified as a key connection for students attending both Boones Ferry Primary School and Inza R. Wood Middle School. Both schools serve the Villebois and Camelot neighborhoods. The Park at Merryfield trail is a primary off street connection for those neighborhoods to the schools.

The Parks team is seeking a grant that would repay 50% of costs, up to \$75,000, as a part of this project initiative. The Local Government Grant Program will rank applicants in June of 2022 and grants at the \$75,000 threshold are traditionally awarded at an 85% success rate. The 50% required match for this project will be brought forward through the Capitol Improvement Project Budget process for consideration by the Budget Committee and City Council.

**EXPECTED RESULTS:**

Through the rehabilitation of The Park at Merryfield trail, the ADA insufficiency as well as the narrow nature of the trail and non-marked passing zones will all be improved. A ten foot wide trail with two marked lanes of travel will work to improve the tight nature of the current aging trail system. The new trail will be installed to meet current ADA trail standards and also look to improve opportunities to rest and interact with nature with benches or other amenities.

**TIMELINE:**

Grant application is due May 1st with scoring and ranking to be conducted by the LGGP advisory committee in June. If the project is selected the funds would be made available following the scoring and ranking process.

**CURRENT YEAR BUDGET IMPACTS:**

No budget impact for the current fiscal year. This grant does require a minimum 50% match, which will be funded out of the 2022/2023 budget.

**COMMUNITY INVOLVEMENT PROCESS:**

The Merryfield Trail Rehabilitation project was originally identified in the 2006 Wilsonville Bicycle and Pedestrian Master Plan. It was called out in both the 2007 and 2018 Parks and Recreation Comprehensive Master Plans. It was also identified in the 2015 Wilsonville Parks ADA Assessment Report and the 2013 Transportation System Plan.

**POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

This project will revitalize and update trail connectivity in the Park at Merryfield in Wilsonville. The .16 mile asphalt trail built prior to the year 2000, will be widened and striped to improve safety. ADA improvements will be made to ensure the trail and connected playground are accessible to all community members. The Park at Merryfield trail system has been identified as a key connection for students attending both Boones Ferry Primary School and Inza R. Wood Middle School. Both schools serve the Villebois and Camelot neighborhoods. The Park at Merryfield trail is the only off street connection for those neighborhoods to the schools.

The existing trail will be milled onsite to provide a base layer for the new trail. The City of Wilsonville has worked diligently over the past ten years to improve the 8.48 acre park that encompasses the trail. Invasive species management, wet land bridge installation, soft surface trail alignment and an updated playground are all improvements that have been completed in the last 10 years. These improvements have increased trail use and make it critical for the trail to be rehabilitated. An updated trail would continue the overall rehabilitation of The Park at Merryfield to increase safety and improve accessibility for all.

**ALTERNATIVES:**

There are no current alternatives. This project will remain unfunded if a resolution for the grant is not approved by City Council.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENT:**

1. Resolution No. 2960



**RESOLUTION NO. 2960****A RESOLUTION OF THE CITY OF WILSONVILLE SUPPORTING A 2022 GRANT APPLICATION TO THE OREGON STATE PARKS, LOCAL GOVERNMENT GRANT PROGRAM FOR THE TRAIL AT THE PARK AT MERRYFIELD REHABILITATION.**

WHEREAS, the Oregon Parks and Recreation Department is accepting applications for the Local Government Grant Program; and

WHEREAS, the City of Wilsonville desires to participate in this grant program to the greatest extent possible as a means of providing needed park and recreation acquisitions, improvements and enhancements; and

WHEREAS, The City Council has identified trail improvements at The Park at Merryfield as a high priority need in Wilsonville; and

WHEREAS, Trail improvements align with the American with Disabilities Act and Safety Improvements; and

WHEREAS, the City of Wilsonville has available local matching funds to fulfill its share of obligation related to this grant application should the grant funds be awarded; and

WHEREAS, the City of Wilsonville will provide adequate funding for on-going operations and maintenance of this park and recreation facility should the grant funds be awarded; and

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The City Council demonstrates its support for the submittal of a grant application to Oregon State Parks and Recreation Department for the Trail Rehabilitation Project at The Park at Merryfield.
2. Commitment of adequate City staff and resources to the grant-funded portion of the 2022 Local Government Grant Program related work.
3. Commitment to fund 50% or more of the cost of the completion of the Park at Merryfield Trail Restoration Project with City funds.
4. This resolution becomes effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting on this 7<sup>th</sup> day of March 2022, and filed with the Wilsonville City Recorder this date.

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Julie Fitzgerald, Mayor

ATTEST:

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Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville



## CITY COUNCIL MEETING MINUTES

February 24, 2022 at 7:00 PM

City Hall Council Chambers & Remote Video Conferencing

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### CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Thursday, February 24, 2022. The Mayor called the meeting to order at 7:12 p.m., followed by roll call and the Pledge of Allegiance.

### PRESENT

Mayor Julie Fitzgerald  
 Council President Kristin Akervall  
 Councilor Charlotte Lehan  
 Councilor Ben West  
 Councilor Joann Linville

### STAFF PRESENT

Bryan Cosgrove, City Manager  
 Jeanna Troha, Assistant City Manager  
 Kimberly Veliz, City Recorder  
 Miranda Bateschell, Planning Director  
 Philip Bradford, Associate Planner  
 Zoe Mombert, Assistant to the City Manager

3. Motion to approve the following order of the agenda as amended.

**Motion:** Move to approve the order of the agenda as amended.

Motion made by Councilor West, Seconded by Council President Akervall.

**Vote:** Motion carried 5-0.

**Voting Yea:**

Mayor Fitzgerald, Council President Akervall, Councilor Lehan, Councilor West, Councilor Linville

**MAYOR'S BUSINESS**

4. Upcoming Meetings

The Mayor report on the following past meetings and events:

**Interviews for Arts, Culture and Heritage Commission**

- Over the past couple of weeks, the Mayor conducted several interviews of applicants who seek to serve on the City's new Arts, Culture and Heritage Commission; and the Parks and Recreation Advisory Board.
- The City was fortunate to receive an excellent set of applications from a variety of community members with diverse backgrounds. The Mayor shared she looked forward to advancing for Council consideration nine (9) of the applicants for confirmation to the Arts, Culture, and Heritage Commission and one (1) applicant to the Parks and Recreation Advisory Board.

**Tour of ESS, Inc.**

- The City had the pleasure of being the site for the regional economic-development agency Greater Portland Inc. meeting. During the meeting, they looked at climate smart industries in the City of Wilsonville.
- The Mayor shared Councilor Linville and Matt Lorenzen, Economic Development Manager also attended the meeting.
- The group toured ESS, Inc., or Energy Storage Solutions is a rapidly growing company that makes large, industrial, grid-grade 'iron-flow' batteries that are environmentally sustainable.
- In addition, a presentation by a panel from PGE and others discussed energy storage.
- After the tour, the City hosted a luncheon meeting at the nearby Parkway Woods High-Tech Campus to discuss economic-development issues for manufacturers in the climate-tech industry.

**Tours of Wilsonville for Elected Officials**

- The Mayor had the opportunity to host Metro Councilor Garret Rosenthal and Clackamas County Commissioner Paul Savas on tours of Wilsonville.
- Both of these elected officials serve in capacities that make land-use and transportation-funding decisions that directly affect Wilsonville.

**Regional Meetings**

- The Mayor attended the Washington County Coordinating Committee meeting, C4 Metro Subcommittee, the Washington County Commission Chair and Mayors meeting and the French Prairie Forum meeting.
- Topics of discussion at these meetings have tended to focus on ODOT's I-205 Toll Program and Regional Congestion Pricing Program, as well as the pending update to the Regional Transportation Plan.

### Testimony before the Oregon Transportation Commission (OTC)

- The Mayor recalled that at the last Council meeting she had discussed issues of concern by area cities regarding the proposed I-205 Toll Program.
- The City followed suit and re-issued the January letter to the OTC last week, and the Mayor testified before the OTC.
- In addition, the Clackamas County Coordinating Committee (C4) drafted a letter regarding the same concerns.

### Oregon Legislature Is in Session

- The Oregon Legislative Assembly has convened for the short session.
- The City, the League of Oregon Cities, the Metropolitan Mayors Consortium and others have been busy reviewing proposed legislation and considering testimony on potential bills to be heard in House and Senate committees.
- The Mayor shared she had spoken to Representative Courtney Neron about potential bills the City was considering testifying on.
- The City testified on proposed legislation modifying current “substantial completion law” that determines when and how housing development is substantially complete and occupancy permits issued.
- The City found that the proposed law is unnecessary and carries potential unintended consequences detrimental to both local governments and new homeowners.
- The amended bill now clarifies the public improvements and conditions of development a local government may require as an assessment of “substantial completion” prior to land use approval of a residential subdivision.
- The bill also creates a study group consisting of local government and housing industry representatives to analyze administrative procedures for approving residential construction projects, identify best practices, and propose regulatory changes necessary to reduce project approval time and increase residential construction.
- The City also testified in opposition to an Urban Growth Boundary Expansion bill and a proposed task force that would be a waste of taxpayer resources by focusing on the wrong issues for cities. The bill would do nothing to help cities to develop housing or industrial sites.

The Mayor report on the following upcoming meetings and events:

### Oregon Department of Aviation - Aurora State Airport meetings

- Councilor Lehan and Community Development Director Chris Neamtzu plan to attend the second Aurora State Airport Master Plan Planning Advisory Committee on Tuesday, March 1, 3:00 p.m. to 5:00 p.m., on Zoom.
- Members of the public are welcome to observe and provide comments at the end of the meeting.
- After the PAC meeting, the Aviation Department is hosting a virtual Aurora State Airport Master Plan first Public Open House on Tuesday, March 1, 5:00 p.m. to 7:00 p.m.
- Links for these meetings are available on the City’s website.

### City Attorney Interviews

- The Mayor announced the City Council would be conducting interviews for a new City Attorney Barbara Jacobson was retiring.
- The Mayor thanked Ms. Jacobson for her high-quality legal work; Ms. Jacobson has defended the City's public interests in multiple forums. Her latest victory was confirmed by the Oregon Supreme Court, which agreed that the Oregon Department of Aviation violated Oregon's public-process and land-use laws.

### City Council Meeting

- The Mayor reminded the next regular City Council meeting is scheduled for Monday, March 7, 2022.

### 5. Arts, Culture, and Heritage Commission & Parks and Recreation Advisory Board Appointments

#### **Arts, Culture, and Heritage Commission - Appointments (1-Year Term)**

Appointment of David Altman, Elaine Swyt and Angela Sims to the Arts, Culture, and Heritage Commission for a term beginning 2/24/2022 to 6/30/2023.

**Motion:** Move to ratify the appointment of David Altman, Elaine Swyt and Angela Sims to the Arts, Culture, and Heritage Commission for a term beginning 2/24/2022 to 6/30/2023.

Motion made by Council President Akervall, Seconded by Councilor Lehan.

**Vote:** Motion carried 5-0.

#### **Voting Yea:**

Mayor Fitzgerald, Council President Akervall, Councilor Lehan, Councilor West, Councilor Linville

#### **Arts, Culture, and Heritage Commission - Appointments (2-Year Term)**

Appointment of Steven Traugh, Joan Carlson and Jason Jones to the Arts, Culture, and Heritage Commission for a term beginning 2/24/2022 to 6/30/2024.

**Motion:** Move to ratify the appointment of Steven Traugh, Joan Carlson and Jason Jones to the Arts, Culture, and Heritage Commission for a term beginning 2/24/2022 to 6/30/2024.

Motion made by Council President Akervall, Seconded by Councilor Lehan.

**Vote:** Motion carried 5-0.

#### **Voting Yea:**

Mayor Fitzgerald, Council President Akervall, Councilor Lehan, Councilor West, Councilor Linville

**Arts, Culture, and Heritage Commission - Appointments (3-Year Term)**

Appointment of Benjamin Mefford, Susan Schenk and Deborah Zundel to the Arts, Culture, and Heritage Commission for a term beginning 2/24/2022 to 6/30/2025.

**Motion:** Move to ratify the appointment of Benjamin Mefford, Susan Schenk and Deborah Zundel to the Arts, Culture, and Heritage Commission for a term beginning 2/24/2022 to 6/30/2025.

Motion made by Council President Akervall, Seconded by Councilor Lehan.

**Vote:** Motion carried 5-0.

**Voting Yea:**

Mayor Fitzgerald, Council President Akervall, Councilor Lehan, Councilor West, Councilor Linville

**Parks and Recreation Advisory Board – Appointment (Unexpired Term)**

Appointment of Amanda Harmon to the Parks and Recreation Advisory Board for a term beginning 2/24/2022 to 12/31/2024.

**Motion:** Move to ratify the appointment of Amanda Harmon to the Parks and Recreation Advisory Board for a term beginning 2/24/2022 to 12/31/2024.

Motion made by Council President Akervall, Seconded by Councilor Lehan.

**Vote:** Motion carried 5-0.

**Voting Yea:**

Mayor Fitzgerald, Council President Akervall, Councilor Lehan, Councilor West, Councilor Linville

**COMMUNICATIONS**

## 6. Family Empowerment Center

María de Lourdes Horton, Caitlin Sullivan and Andrew Kilstrom all representatives from the West Linn-Wilsonville School District presented details of the work of the district's Family Empowerment Center. The program was established to provide families with food, clothing, supplies, mental health resources and other support. The program allows families to take a more active role in the education of their children.

Council questions and comments followed the presentation.

## CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS

*This is an opportunity for visitors to address the City Council on items **not** on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.*

There were none.

## COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

### 7. Council President Akervall

Provided details on the following meetings and events she attended:

- Tualatin Valley Fire and Rescue (TVF&R) Annual Award Ceremony
- Clackamas County Child Care Taskforce Meeting

Announced and provided information on the following upcoming events:

- City of Wilsonville Photo Contest

### 8. Councilor Lehan

Councilor Lehan shared her screen to display photos of tugboats owned by the Burner family whom own Wilsonville Concrete. She explained the Burners have a couple of vessel that they are getting rid of they are past their prime. Councilor Lehan explained the Burners are thinking of giving the 1937 tugboat named Lady B away. The hope is to give Lady B to either Willamette Falls and Landings Heritage Area Coalition and/or their foundation or perhaps a city park.

Councilor Lehan then showed another boat named Rainbow, which is a bit taller therefore, would require to be dismantled.

Announced and provided information on the following upcoming meeting:

- Aurora Airport meetings

Provided details on the following upcoming meetings she planned to attend:

- Memorial Park new skate park meeting

### 9. Councilor West

Recalled the Wilsonville Library turned 40 and wished the Library a happy birthday. Councilor West also congratulated the Dolly Parton's Imagination Library program for 10 years with Wilsonville Library.



## 10. Councilor Linville

Provide details of the C4 Metro Subcommittee:

- Recalled Governor Brown had issued Executive Order 20-04, which directed state agencies to reduce climate pollution. She explained in response to this order Land Conservation and Development Commission (LCDC) required the Oregon transportation planning rules and other related administrative rules be updated.
- The draft of the transportation and housing rules on reduction of the greenhouse gas emissions can be located on the oregon.gov website.
- The C4 Metro Subcommittee had not yet taken any action on these items.
- Council was reminded that earlier in the day Mark Ottenad, Public/Government Affairs Director sent them information that specifically related to the issues and concerns regarding implementation of tolling on Interstate 205.
- It was explained that the C4 Metro Subcommittee, C4 and regional groups in the area responsible for transportation issues had coalesced around and agreed with the issues and concerns and communicated these to ODOT on numerous occasions. However, the issues had not been fully addressed.
- The regional transportation plan and the Metro transportation improvement plan require amendments to be approved by the regional groups in order for tolling to move forward.
- The groups have decided to wait one month to give ODOT an opportunity to address the list of concerns and issues.
- ODOT stated if approvals of amendments were delayed then improvements on the Abernathy Bridge would also be delayed.

Councilor Linville attended the Greater Portland Inc. tour of ESS, Inc.

Clackamas Community College Board Member Woods notified Ms. Linville the college is preparing their application for the governor's Future Ready Oregon Competitive Workforce Readiness Grants for educational institutions. She planned to meet with Member Woods; Matt Lorenzen, Economic Development Manager; and ESS Inc. Human Resources Director to discuss the grant and the company's needs.

In addition, she reported attending the National Air Transportation Association meeting.

Lastly, Councilor Linville encouraged the audience to visit Lux Sucre in Charbonneau as it has a new location.

## CONSENT AGENDA

The City Attorney read the Consent Agenda titles into the record.

### 11. **Resolution No. 2952**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With R.L. Reimers Co. For The Corral Creek And Rivergreen Lift Stations Rehabilitation Project (Capital Improvement Project #2105).

**12. Resolution No. 2953**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Braun Construction & Design, LLC DBA Braun Construction For Construction Of The 95th Avenue Storm Line Repairs Project (Capital Improvement Project 7062).

**13. Resolution No. 2962**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement Contract Amendment With Stantec Consulting Services For Construction Support Services For The Willamette River Water Treatment Plant Expansion Project (Capital Improvement Project #1144).

14. Minutes of the February 7, 2022 City Council Meeting.

**Motion:** Move to approve the Consent Agenda as read.

Motion made by Councilor Lehan, Seconded by Councilor West.

**Vote:** Motion carried 5-0.

**Voting Yea:**

Mayor Fitzgerald, Council President Akervall, Councilor Lehan, Councilor West, Councilor Linville

**NEW BUSINESS**

None.

**CONTINUING BUSINESS**

None.

**PUBLIC HEARING**

The City Attorney read the titles of Ordinance Nos. 854 and 855 into the record on first reading.

The Mayor provided the public hearing format and opened the public hearing at 8:12 p.m.

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No member of the audience challenged any of the Councilor's participation.

Staff provided the staff report and PowerPoint, which has been made a part of the record.

The City Attorney reported no comments had been received since the Development Review Board hearing.

The applicant agreed with the information presented by staff.

The Mayor invited public testimony, seeing none the Mayor closed the public hearing at 8:22 p.m.

**15. Ordinance No. 854** - 1st Reading (*Quasi-Judicial*)

An Ordinance Of The City Of Wilsonville Annexing Approximately 9.74 Acres Of Property Located On The West Side Of SW Stafford Road North Of SW Frog Pond Lane Into The City Limits Of The City Of Wilsonville, Oregon; The Land Is More Particularly Described As Tax Lots 100, 300 And 302, And A Portion Of SW Stafford Road Right-Of-Way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Paul C. Chaney, Janene P. Chaney, Petitioners.

**Motion:** Move to adopt Ordinance No. 854 on first reading.

Motion made by Councilor Lehan, Seconded by Councilor West.

**Vote:** Motion carried 5-0.

**Voting Yea:**

Mayor Fitzgerald, Council President Akervall, Councilor Lehan, Councilor West, Councilor Linville

**16. Ordinance No. 855** - 1st Reading (*Quasi-Judicial*)

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5-Acre (RRFF-5) Zone To The Residential Neighborhood (RN) Zone On Approximately 8.46 Acres On The West Side Of SW Stafford Road North Of SW Frog Pond Lane; The Land Is More Particularly Described As Tax Lots 100, 300 And 302, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Venture Properties, Inc., Applicant.

**Motion:** Move to adopt Ordinance No. 855 on first reading.

Motion made by Councilor Lehan, Seconded by Councilor West.

**Vote:** Motion carried 5-0.

**Voting Yea:**

Mayor Fitzgerald, Council President Akervall, Councilor Lehan, Councilor West, Councilor Linville

**CITY MANAGER'S BUSINESS**

There was no report.

**LEGAL BUSINESS**

The City Attorney announced that this week the City of Wilsonville received two payments in full for court cases judgments. The City Attorney shared the court cases won by the City of Wilsonville had been for the Aurora Airport case and the Wilsonville Subaru case. She further explained neither of those judgments was going to make the City rich. However, the cases were milestones indicating that both cases are finally complete and the City was victorious. The City Attorney explained the City cannot recover attorney fees but can recover court costs. However, most of the court costs recovered are to be paid back to the state because cities do not pay filing. Therefore, the fees are more symbolic than anything else.

**ADJOURN**

Mayor Fitzgerald adjourned the meeting at 8:25 p.m.

Respectfully submitted,

\_\_\_\_\_  
Kimberly Veliz, City Recorder

ATTEST:

\_\_\_\_\_  
Julie Fitzgerald, Mayor



**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b> March 7, 2022		<b>Subject: Ordinance Nos. 854 and 855 – 1<sup>st</sup> Reading</b> Annexation and Zone Map Amendment for Frog Pond Crossing subdivision in Frog Pond West	
		<b>Staff Member:</b> Philip Bradford, Associate Planner	
		<b>Department:</b> Community Development	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: February 24, 2022 <input checked="" type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: February 24, 2022 <input checked="" type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: March 7, 2022 <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable  <b>Comments:</b> Following their review at the February 14, 2022 meeting, the Development Review Board (DRB) Panel A, recommended approval of an Annexation and a Zone Map Amendment for the subject property. The DRB also approved with conditions, contingent on the Annexation and Zone Map Amendment, a Stage I Master Plan, Stage II Final Plan, Site Design Review, Tentative Subdivision Plat, Type C Tree Removal, and two Waivers.	
<b>Staff Recommendation:</b> Staff recommends City Council adopt Ordinance Nos. 854 and 855.			
<b>Recommended Language for Motion:</b> In two separate motions: <ul style="list-style-type: none"> <li>• I move to adopt Ordinance No. 854 on second reading.</li> <li>• I move to adopt Ordinance No. 855 on second reading.</li> </ul>			
<b>Project / Issue Relates To:</b>			
<input type="checkbox"/> Council Goals/Priorities:	<input checked="" type="checkbox"/> Adopted Master Plan(s): Frog Pond West	<input type="checkbox"/> Not Applicable	

**ISSUE BEFORE COUNCIL:**

Approve, modify, or deny Ordinance Nos. 854 and 855 to annex 9.74 acres and rezone approximately 8.46 acres on the west side of SW Stafford Road north of SW Frog Pond Lane within the Frog Pond West Master Plan area, enabling development of a 29-lot subdivision.

**EXECUTIVE SUMMARY:**

The proposed subdivision is the fifth area, following the 71-lot Frog Pond Ridge, 44-lot Stafford Meadows and 74-lot Frog Pond Meadows subdivisions to the south and the 78-lot Morgan Farm subdivision to the west, proposed for annexation and subsequent development consistent with the Frog Pond West Master Plan. The subdivisions are envisioned to blend together as one cohesive neighborhood. Concurrent with the adoption of the Frog Pond West Maser Plan, the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area. The requested zone map amendment proposes applying the Residential Neighborhood (RN) Zone to the Frog Pond Ridge subdivision consistent with this intention.

**EXPECTED RESULTS:**

Adoption of Ordinance Nos. 854 and 855 will bring this portion of the Frog Pond West Master Plan area into the City and zone it for development consistent with the Master Plan.

**TIMELINE:**

The Annexation and Zone Map Amendment will be in effect 30 days after ordinance adoption on second reading and upon filing the annexation records with the Secretary of State as provided by ORS 222.180.

**CURRENT YEAR BUDGET IMPACTS:**

The project will result in income and expenditures consistent with the infrastructure financing plan of the Frog Pond West Master Plan.

**FINANCIAL REVIEW:**

Reviewed by: KAK Date: 2/9/2022

**LEGAL REVIEW:**

Reviewed by: BAJ Date: 2/10/2022

**COMMUNITY INVOLVEMENT PROCESS:**

Staff sent the required public hearing notices. In addition, significant public involvement occurred during development and approval of the Frog Pond Area Plan and Frog Pond West Master Plan, with which the proposed actions are consistent.

**POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

The annexation and development of the subject land will provide additional housing choices and continued development of quality neighborhoods.

**ALTERNATIVES:**

The alternatives are to modify, approve, or deny the annexation and zone map amendment requests.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

1. Ordinance No. 854
  - A. Legal Description and Sketch Depicting Land/Territory to be Annexed
  - B. Petition for Annexation
  - C. Annexation Findings
  - D. Development Review Board Panel A Resolution No. 399 Recommending Approval of Annexation
2. Ordinance No. 855
  - A. Zoning Order DB21-0037 Including Legal Description and Sketch Depicting Zone Map Amendment
  - B. Zone Map Amendment Findings
  - C. Development Review Board Panel A Resolution No. 399 Recommending Approval of Zone Map Amendment

**ORDINANCE NO. 854**

**AN ORDINANCE OF THE CITY OF WILSONVILLE ANNEXING APPROXIMATELY 9.74 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF SW STAFFORD ROAD NORTH OF SW FROG POND LANE INTO THE CITY LIMITS OF THE CITY OF WILSONVILLE, OREGON; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOTS 100, 300 AND 302, AND A PORTION OF SW STAFFORD ROAD RIGHT-OF-WAY, SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. PAUL C. CHANEY, JANENE P. CHANEY, PETITIONERS.**

WHEREAS, a petition submitted to the City requests annexation of certain real property legally described and depicted in Exhibit A; and;

WHEREAS, Paul C. Chaney and Janene P. Chaney, together representing 100 percent of the property ownership within the annexation area signed the petition; and;

WHEREAS, Paul C. Chaney and Janene P. Chaney, together representing a majority of the electors within the annexation area signed the petition; and

WHEREAS, ORS 227.125 authorizes the annexation of territory based on consent of all owners of land and a majority of electors within the territory and enables the City Council to dispense with submitting the questions of the proposed annexation to the electors of the City for their approval or rejection; and

WHEREAS, the land to be annexed is within the Urban Growth Boundary and has been master planned as part of the Frog Pond West Neighborhood; and

WHEREAS, Panel A of the Development Review Board considered the annexation and after a duly advertised public hearing held on February 14, 2022, recommended City Council approve the annexation; and

WHEREAS, on February 24, 2022 the City Council held a public hearing as required by Metro Code 3.09.050; and

WHEREAS, reports were prepared and considered as required by law; and because the annexation is not contested by any party, the City Council chooses not to submit the matter to the voters and does hereby favor the annexation of the subject tract of land based on findings, conclusions, and the Development Review Board's recommendation to City Council.

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:



1. FINDINGS.

The tract of land, described and depicted in Exhibit A, is declared annexed to the City of Wilsonville.

2. DETERMINATION.

The findings and conclusions incorporated in Exhibit C are adopted. The City Recorder shall immediately file a certified copy of this ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(g) and ORS 222.005. The annexation shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

3. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall be declared to be in full force and effect thirty (30) days for the date of final passage and approval.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 24<sup>th</sup> day of February 2022, and scheduled the second reading on March 7, 2022, commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

\_\_\_\_\_  
Kimberly Veliz, City Recorder

ENACTED by the City Council on the 7<sup>th</sup> day of March 2022, by the following votes:

Yes: \_\_\_\_\_ No: \_\_\_\_\_

\_\_\_\_\_  
Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 7<sup>th</sup> day of March, 2022.

\_\_\_\_\_  
Julie Fitzgerald, Mayor

**SUMMARY OF VOTES:**

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

**EXHIBITS:**

- A. Legal Description and Sketch Depicting Land/Territory to be Annexed
- B. Petition for Annexation
- C. Annexation Findings
- D. Development Review Board Panel A Resolution No. 399 Recommending Approval of Annexation



AKS ENGINEERING & FORESTRY, LLC  
 12965 SW Herman Road, Suite 100, Tualatin, OR 97062  
 P: (503) 563-6151 | www.aks-eng.com

AKS Job #5252

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

## EXHIBIT A

### City Annexation Description

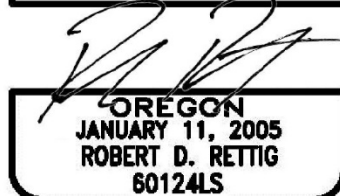
A tract of land, and a portion of right-of-way, located in the Northwest and Southwest One-Quarter of Section 7, Township 3 South, Range 1 East, and the Northeast and Southeast One-Quarter of Section 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

Beginning at the southeast corner of Parcel II of Partition Plat 1991-043, Clackamas County Plat Records, also being on the west right-of-way line of Stafford Road (30.00 feet from centerline); thence along said west right-of-way line, North 01°40'07" East 33.45 feet to the westerly extension of the north right-of-way line of Kahle Road (15.00 feet from centerline); thence along said westerly extension, South 88°00'29" East 60.00 feet to the intersection of said north right-of-way line and the east right-of-way line of Stafford Road (30.00 feet from centerline); thence along said east right-of-way line, South 01°40'07" West 932.66 feet to the easterly extension of the north right-of-way line of Frogpond Lane (16.50 feet from centerline) and the City of Wilsonville city limits line; thence along said easterly extension and said city limits line, North 88°35'24" West 60.00 feet to the intersection of said north right-of-way line and the said west right-of-way line of Stafford Road; thence leaving said city limits line along said west right-of-way line, North 01°40'07" East 241.00 feet to the northeast corner of Document Number 2015-020686, Clackamas County Deed Records; thence along the north line of said deed, North 88°35'24" West 365.01 feet to the northwest corner thereof; thence along the west line of said deed, South 01°41'37" West 241.00 feet to said north right-of-way line of Frogpond Lane and said city limits line; thence along said north right-of-way line and said city limits line, North 88°35'24" West 142.58 feet to the southeast corner of Document Number 2018-044491, Clackamas County Deed Records; thence leaving said city limits line along the east line of said deed, North 01°40'07" East 897.83 feet to the south line of said Parcel II; thence along said south line, South 88°48'53" East 507.71 feet to the Point of Beginning.

The above described tract of land contains 9.74 acres, more or less.

Bearings for this description are based on State Plane Grid bearing, Oregon State Plane, North Zone 3601, NAD83(2011) Epoch: 2010.0000. Distances shown are International Foot ground values.

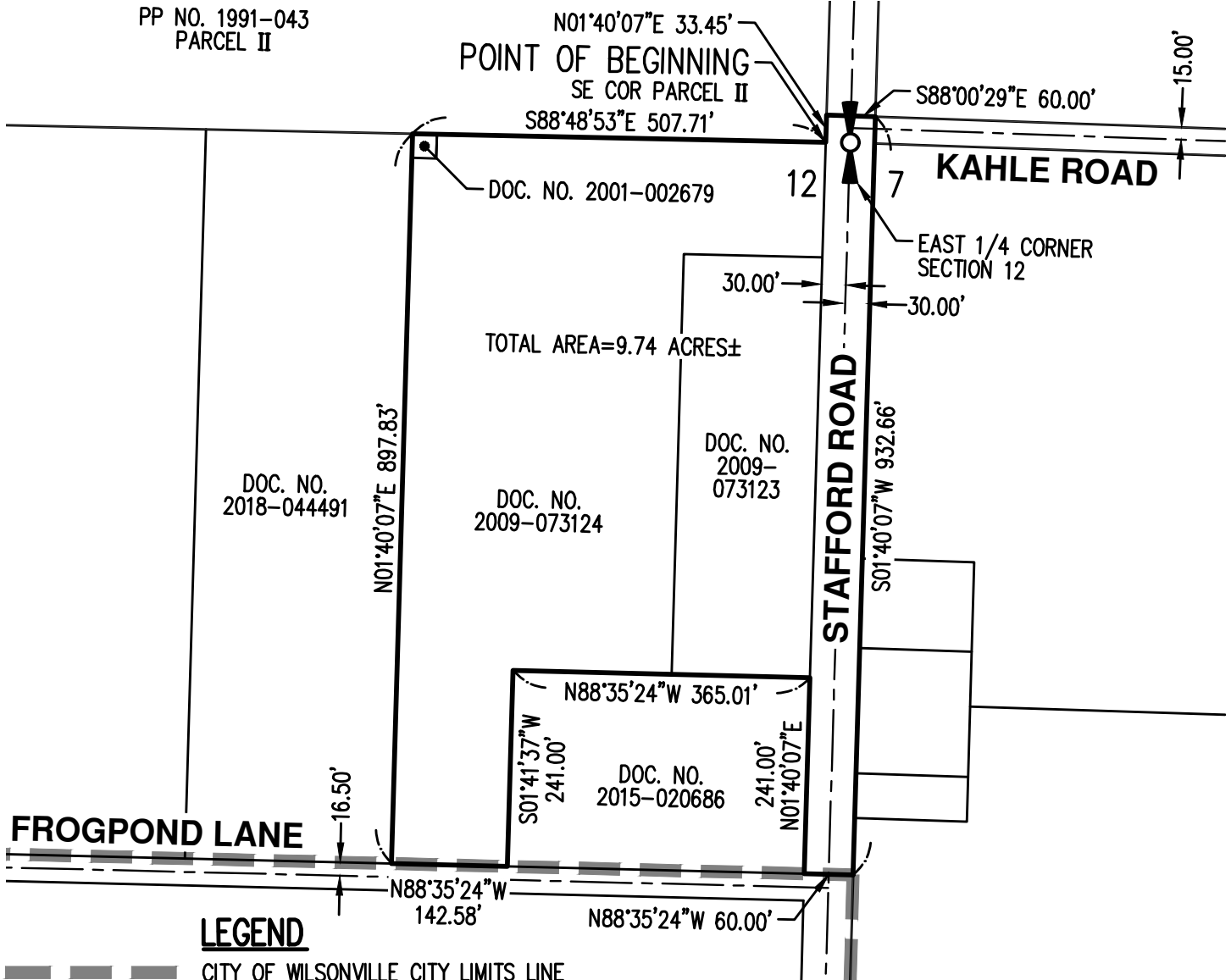
12/7/2021



RENEWS: 12/31/22

# EXHIBIT B

A TRACT OF LAND, AND A PORTION OF RIGHT-OF-WAY,  
LOCATED IN THE NORTHWEST AND SOUTHWEST 1/4 OF SECTION 7,  
TOWNSHIP 3 SOUTH, RANGE 1 EAST, AND  
THE NORTHEAST AND SOUTHWEST 1/4 OF SECTION 12,  
TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,  
CLACKAMAS COUNTY, OREGON



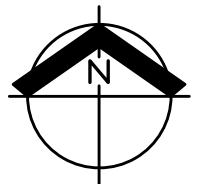
12/7/2021

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

### PREPARED FOR

VENTURE PROPERTIES, INC.  
4230 SW GALEWOOD STREET, SUITE 100  
LAKE OSWEGO, OR 97035

SCALE: 1" = 200 FEET



*[Signature]*

OREGON  
JANUARY 11, 2005  
ROBERT D. RETTIG  
60124LS

RENEWS: 12/31/22

### CITY ANNEXATION MAP

AKS ENGINEERING & FORESTRY, LLC  
12965 SW HERMAN RD, STE 100  
TUALATIN, OR 97062  
503.563.6151 WWW.AKS-ENG.COM



EXHIBIT  
**B**

DRWN: WCB  
CHKD: RDR  
AKS 148

**PETITION FOR ANNEXATION**

We, the undersigned owner(s) of the property described in **Exhibit A** and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Wilsonville:

**NOTE:** This petition may be signed by any qualified persons even though they may not know their property description or precinct number.

SIGNATURE	PRINTED NAME	I AM A: *			PROPERTY ADDRESS	PROPERTY DESCRIPTION			PRECINCT #	DATE	
		PO	RV	OV		LOT #	¼ SEC	T			R
<i>Paul C. Chaney</i>	Paul C. Chaney			X	27227 SW Stafford Rd, Wilsonville, OR 97070	100	12	3S	1W	323	4/20/21
<i>Janene P. Chaney</i>	Janene P. Chaney			X						✓	4/20/21
<i>Paul C. Chaney</i>	Paul C. Chaney			X	-	300	12	3S	1W	✓	4/20/21
<i>Janene P. Chaney</i>	Janene P. Chaney			X						✓	4/20/21
<i>Paul C. Chaney</i>	Paul C. Chaney			X	-	302	12	3S	1W	✓	4/20/21
<i>Janene P. Chaney</i>	<del>Janene P. Chaney</del>			X						✓	4/20/21

\* PO - Property Owner  
 RV - Registered Voter  
 OV - Property Owner & Registered Voter

## CERTIFICATION OF PROPERTY OWNERSHIP

I hereby certify that the attached petition for annexation contains the names of the owners<sup>1</sup> (as shown on the last available complete assessment roll) of 100% of the land area of the territory proposed for annexation as described in the attached petition.

NAME:



TITLE:

Cartographer

DEPARTMENT:

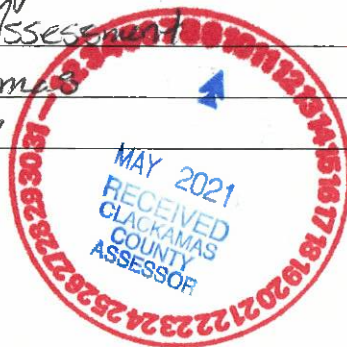
Tax Assessment

COUNTY OF:

Clackamas

DATE:

5/10/21



<sup>1</sup> "Owner" means the legal owner of record or, where there is a recorded a land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel's land mass and assessed value for purposes the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.



Ordinance No. 854 Exhibit C  
Annexation Findings

Frog Pond Crossing 29-Lot Subdivision

City Council  
Quasi-Judicial Public Hearing

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**Hearing Date:** February 24, 2022  
**Date of Report:** February 14, 2022

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**Application No.:** DB21-0036 Annexation

**Request/Summary:** City Council approval of quasi-judicial annexation of approximately 9.27 acres concurrently with proposed development as a single-family subdivision consistent with the Frog Pond West Master Plan.

**Location:** 27227 SW Stafford Road. The property is specifically known as TLID 100, 300, and 302, and a portion of SW Stafford Road right-of-way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon

**Owners/Petitioners:** Chaney Paul C Co-Trustee

**Applicant:** Venture Properties, Inc. (Contact: Kelly Ritz)

**Applicant’s Rep.:** AKS Engineering & Forestry, LLC (Contact: Mimi Doukas AICP)

**Comprehensive Plan Designation:** Residential Neighborhood

**Zone Map Classification (Current):** RRFF 5 (Rural Residential Farm Forest 5-Acre)

**Zone Map Classification (Proposed Concurrent with Annexation):** RN (Residential Neighborhood)

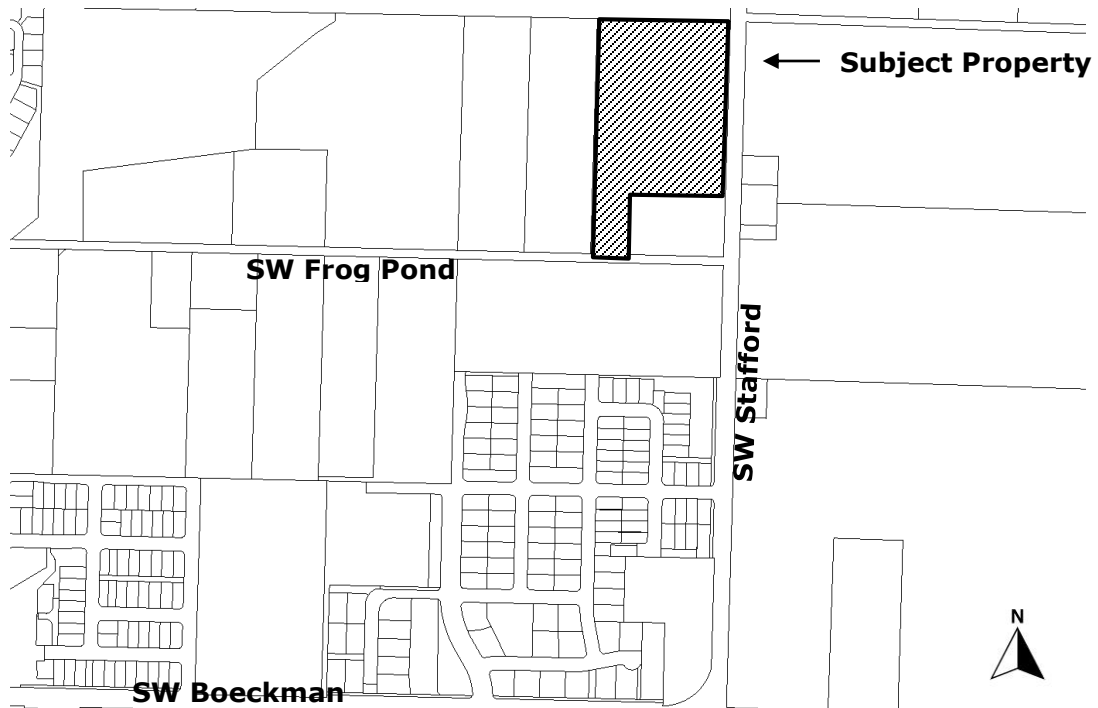
**Staff Reviewer:** Philip Bradford, Associate Planner

**Staff/DRB Recommendation:** Approve the requested annexation.

**Applicable Review Criteria:**

<u>Development Code:</u>	
Section 4.700	Annexation
<u>Comprehensive Plan and Sub-elements:</u>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Area of Special Concern L	
Transportation Systems Plan	
Frog Pond West Master Plan	
<u>Regional and State Law and Planning Documents</u>	
Metro Code Chapter 3.09	Local Government Boundary Changes
ORS 222.111	Authority and Procedures for Annexation
ORS 222.125	Annexation by Consent of All Land Owners and Majority of Electors
ORS 222.170	Annexation by Consent Before Public Hearing or Order for Election
Statewide Planning Goals	

**Vicinity Map**





**Background/Summary:**

The subject area has long been rural/semi-rural adjacent to the growing City of Wilsonville. Metro added the 181-acre area now known as Frog Pond West to the Urban Growth Boundary (UGB) in 2002 to accommodate future residential growth. To guide development of the area and the urban reserve areas to the east and southeast, the City of Wilsonville adopted the Frog Pond Area Plan in November 2015. The Frog Pond Area Plan envisions that “The Frog Pond Area in 2035 is an integral part of the Wilsonville community, with attractive and connected neighborhoods. The community’s hallmarks are the variety of quality homes; open spaces for gathering; nearby services, shops and restaurants; excellent schools; and vibrant parks and trails. The Frog Pond Area is a convenient bike, walk, drive, or bus trip to all parts of Wilsonville.”

As a follow up to the Area Plan and in anticipation of forthcoming development, in July 2017 the City of Wilsonville adopted the Frog Pond West Master Plan for the area within the UGB.

The proposed subdivision is the fifth development proposal Frog Pond West, following the 71-lot Frog Pond Ridge, 44-lot Stafford Meadows and 74-lot Frog Pond Meadows subdivisions to the south and the 78-lot Morgan Farm subdivision to the southwest. The subdivision will connect to the previously approved Frog Pond Ridge subdivision, blending together as one cohesive neighborhood.

All property owners in the annexation area have consented in writing to the annexation. No electors reside within the area proposed for annexation.

**Conclusion and Conditions of Approval:**

Staff recommends the City Council annex the subject property with the following condition:

Request: DB21-0036 Annexation

**PDA 1. Prior to issuance of any Public Works permits by the City within the annexation area:** The developer shall be subject to a Development and Annexation Agreement with the City of Wilsonville as required by the Frog Pond West Master Plan. The developer shall enter into the Development and Annexation Agreement prior to issuance of any public works permits by the City within the annexation area.

## Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

### General Information

#### Application Procedures-In General Section 4.008

The City's processing of the application is in accordance with the applicable general procedures of this Section.

#### Initiating Application Section 4.009

The owners of all property included in the application signed the application forms. Venture Properties, Inc. initiated the application with their approval.

### Request: DB21-0036 Annexation

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

## Comprehensive Plan-Annexation and Boundary Changes

#### Consistent with Future Planned Public Services Implementation Measure 2.2.1.a.

**A1.** The Frog Pond West Master Plan establishes the future planned public services and funding plan for the subject property. The development of public services and funding will be consistent with the Frog Pond West Master Plan thus allowing the annexation to proceed. Venture Properties, Inc. and the City will enter into a Development and Annexation Agreement detailing provision and development of public services as required by Conditions of Approval.

#### Demonstrated Need for Immediate Urban Growth Implementation Measure 2.2.1.a.

**A2.** Metro brought the subject area into the Urban Growth Boundary (UGB) in 2002 to meet demonstrated regional housing needs. With adoption for the Frog Pond West Master Plan the subject area is now primed for development to help meet regional housing needs.

#### Adherence to State and Metro Annexation Laws and Standards Implementation Measure 2.2.1.e.

**A3.** This review applies all applicable Metro and State rules, regulations, and statutes as seen in findings below.

## Orderly, Economic Provision of Public Facilities and Services Implementation Measure 2.2.1.e. 1.

- A4. The Frog Pond Area Plan includes implementation measures to ensure the orderly and economic provision of public facilities and services for the Frog Pond Area, including Frog Pond West. The applicant proposes site development with concurrent applications for Stage I and Stage II Planned Unit Development and Land Division, which proposes the extension of public facilities and services to the Frog Pond Crossing site. These proposed services are generally consistent with the Frog Pond Area Plan and Frog Pond West Master Plan, and the City's Finance Plan and Capital Improvements Plan.

## Availability of Sufficient Land for Uses to Insure Choices over 3-5 Years Implementation Measure 2.2.1.e. 2.

- A5. The inclusion of the Frog Pond area within the UGB and the adoption of the Frog Pond Area Plan demonstrate the need for residential development in the Frog Pond area. Annexation of the subject site will allow development of the uses envisioned by the adopted Frog Pond West Master Plan.

## **Wilsonville Development Code-Annexation**

### Authority to Review Quasi-Judicial Annexation Requests Subsections 4.030 (.01) A, 11, 4.031 (.01) K, 4.033 (.01) F., and 4.700 (.02)

- A6. The review of the quasi-judicial annexation request by DRB and City Council is consistent with the authority established in the Development Code.

### Procedure for Review, Etc. Subsections 4.700 (.01). and (.04)

- A7. The submission materials from the applicant include an annexation petition signed by the necessary parties, a legal description and map of the land to be annexed, and a narrative describing conformance with applicable criteria. City Council, upon recommendation from the DRB, will declare the subject property annexed.

### Adoption of Development Agreement with Annexation Subsection 4.700 (.05)

- A8. Subject to requirements in this subsection and the Frog Pond West Master Plan, Conditions of Approval require the necessary parties enter into a Development and Annexation Agreement with the City covering the annexed land.

## **Metro Code**

### Local Government Boundary Changes Chapter 3.09

**A9.** The request is within the UGB, meets the definition of a minor boundary change, satisfies the requirements for boundary change petitions, and is consistent with both the Comprehensive Plan and the Frog Pond West Master Plan.

### **Oregon Revised Statutes (ORS)**

#### Authority and Procedure for Annexation

ORS 222.111

**A10.** The request meets the applicable requirements in State statute including the facts that the subject property is within the UGB and is contiguous to the City, the request has been initiated by the property owners of the land being annexed, and all property owners and a majority of electors within the annexed area consent in writing to the annexation.

#### Procedure Without Election by City Electors

ORS 222.120

**A11.** The City charter does not require elections for annexation, the City is following a public hearing process defined in the Development Code, and the request meets the applicable requirements in State statute including the facts that all property owners and a majority of electors within the annexed area consent in writing to the annexation. Annexation of the subject property thus does not require an election.

#### Annexation by Consent of All Owners and Majority of Electors

ORS 222.125

**A12.** All property owners and a majority of electors within the annexed area have provided their consent in writing. However, the City is following a public hearing process as prescribed in the City's Development Code concurrent with a Zone Map Amendment request and other quasi-judicial land use applications.

### **Oregon Statewide Planning Goals**

#### Planning Goals – Generally

Goals 1, 2, 5, 6, 8, 9, 11, 12, 13, 14

**A13.** The area proposed for annexation will be developed consistent with the City's Comprehensive Plan and the Frog Pond West Master Plan, both of which have been found to meet the Statewide Planning Goals.

#### Housing

Goal 10

**A14.** The proposed Comprehensive Plan map amendments will continue to allow the City to meet its housing goals and obligations reflected in the Comprehensive Plan. Specifically:

- The City has an existing Housing Needs Analysis and Buildable Lands Inventory adopted in 2014 collectively known as the Wilsonville Residential Land Study. The key conclusions of this study are that Wilsonville: (1) may not have a 20-year supply

of residential land and (2) the City's residential policies meet Statewide Planning Goal 10 requirements.

- Under the Metro forecast, Wilsonville is very close to having enough residential land to accommodate expected growth. Wilsonville could run out of residential land by 2032.
- If Wilsonville grows faster than the Metro forecast, based on historic City growth rates, the City will run out of residential land before 2030.
- Getting residential land ready for development is a complex process that involves decisions by Metro, City decision makers, landowners, the Wilsonville community, and others. The City has started the master planning process for Frog Pond East and South neighborhoods to ensure that additional residential land is available within the City. The City also adopted a new plan and development standards for more multi-family units in the Wilsonville Town Center. Finally, the City provides infill opportunities, allowing properties with existing development at more rural densities to be re-zoned for more housing, which this application falls under.
- Wilsonville is meeting Statewide Planning Goal 10 requirements to “provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing” and to “provide for an overall density of 8 or more dwelling units per net buildable acre.”
- Wilsonville uses a two-map system, with a Comprehensive Plan Map designating a density for all residential land and Zone Map with zoning to implement the Comprehensive Plan designation. Rezoning the subject property to a higher density zone consistent with the Comprehensive Plan will ensure related zone map amendment and development approvals support the Comprehensive Plan and Goal 10.
- The proposal increases density allowed and development capacity within the existing urban growth boundary and improving the capacity identified in the 2014 study. The type of housing is anticipated to be single-family; however, the approval will allow middle housing consistent with House Bill 2001 and newly implemented City code to allow middle housing types.
- The proposal directly impacts approximately 1.7% of the developable residential land identified in the 2014 Wilsonville Residential Land Study (approximately 8.46 of 477 acres).

**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 399**

**A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF AN ANNEXATION OF APPROXIMATELY 9.74 ACRES AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) FOR APPROXIMATELY 8.46 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF STAFFORD ROAD NORTH OF SW FROG POND LANE, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE PLAN, WAIVER TO OPEN SPACE LOCATION AND WAIVER TO MINIMUM STREET FRONTAGE FOR A 29-LOT RESIDENTIAL SUBDIVISION. THE SUBJECT SITE IS LOCATED AT 27227 SW STAFFORD ROAD ON TAX LOTS 100, 300, AND 302 AND A PORTION OF STAFFORD ROAD RIGHT-OF-WAY, SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. AKS ENGINEERING & FORESTRY, LLC – REPRESENTATIVE FOR VENTURE PROPERTIES, LLC – APPLICANT AND CHANEY PAUL C CO-TRUSTEE – OWNER.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated February 7, 2022, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on February 14, 2022, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated February 7, 2022, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

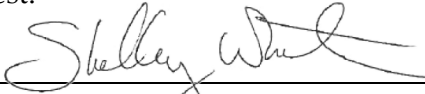
DB21-0036 through DB21-0044; Annexation, Zone Map Amendment, Stage I Preliminary Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Class C Tree Plan, Waiver – Open Space Location, and Waiver – Minimum Street Frontage.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 14<sup>th</sup> day of February, 2022 and filed with the Planning Administrative Assistant on February 15, 2022. This resolution is final on the 15th calendar day after the postmarked date of the

written notice of decision per WC Sec 4.022(.09) unless appealed per WC Sec 4.022(.02) or called up for review by the council in accordance with WC Sec 4.022(.03).

  
\_\_\_\_\_  
Jean Svadlenka, Chair – Panel A  
Wilsonville Development Review Board

Attest:

  
\_\_\_\_\_  
Shelley White, Planning Administrative Assistant

**ORDINANCE NO. 855**

**AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE CLACKAMAS COUNTY RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) ZONE TO THE RESIDENTIAL NEIGHBORHOOD (RN) ZONE ON APPROXIMATELY 8.46 ACRES ON THE WEST SIDE OF SW STAFFORD ROAD NORTH OF SW FROG POND LANE; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOTS 100, 300 AND 302, SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. VENTURE PROPERTIES, INC., APPLICANT.**

WHEREAS, certain real property within the Frog Pond West Master Plan is being annexed into the City; and

WHEREAS, the City of Wilsonville desires to have the properties zoned consistent with their Wilsonville Comprehensive Plan Map designation of “Residential Neighborhood” rather than maintain the current Clackamas County zoning designations; and

WHEREAS, concurrent with the adoption of the Frog Pond West Master Plan and designating the subject property as “Residential Neighborhood” in the Comprehensive Plan Map, the City added a new zoning district Residential Neighborhood (RN) intended for application to the Master Plan area; and

WHEREAS, the Zone Map Amendment is contingent on annexation of the property to the City of Wilsonville, which annexation has been petitioned for concurrently with the Zone Map Amendment request; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, which staff report was presented to the Development Review Board on February 14, 2022; and

WHEREAS, the Development Review Board Panel 'A' held a duly advertised public hearing on the application for a Zone Map Amendment on February 14, 2022, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 399 which recommends City Council approval of the Zone Map Amendment request (Case File DB21-0037), adopts the staff report with findings and recommendation, all as placed on the record at the hearing; and



WHEREAS, on February 24, 2022, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the Development Review Board and City Council staff reports; took public testimony; and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code.

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. FINDINGS.

The City Council adopts, as findings and conclusions, the forgoing Recitals and the Zone Map Amendment Findings in Exhibit B, as if fully set forth herein.

2. DETERMINATION.

The official City of Wilsonville Zone Map is hereby amended, upon finalization of the annexation of the property to the City, by Zoning Order DB21-0037, attached hereto as Exhibit A, from the Clackamas County Rural Residential Farm Forest 5 (RRFF5) Zone to the Residential Neighborhood (RN) Zone.

3. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall be declared to be in full force and effect thirty (30) days from the date of final passage and approval.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 24<sup>th</sup> day of February 2022, and scheduled the second reading on March 7<sup>th</sup>, 2022 commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

\_\_\_\_\_  
Kimberly Veliz, City Recorder

ENACTED by the City Council on the 7<sup>th</sup> day of March 2022, by the following votes:

Yes: \_\_\_\_\_ No: \_\_\_\_\_

---

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 7<sup>th</sup> day of March, 2022

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Julie Fitzgerald, Mayor

**SUMMARY OF VOTES:**

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

**EXHIBITS:**

- A. Zoning Order DB21-0037 Including Legal Description and Sketch Depicting Zone Map Amendment
- B. Zone Map Amendment Findings
- C. Development Review Board Panel A Resolution No. 399 Recommending Approval of Zone Map Amendment

**BEFORE THE CITY COUNCIL OF  
THE CITY OF WILSONVILLE,  
OREGON**

In the Matter of the Application of	)	
Venture Properties, Inc.	)	
for a Rezoning of Land and Amendment	)	<b>ZONING ORDER DB21-0037</b>
of the City of Wilsonville Zoning Map	)	
Incorporated in Section 4.102 of the	)	
Wilsonville Code.	)	

The above-entitled matter is before the Council to consider the application of DB21-0037, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The Council finds that the subject property (“Property”), legally described and shown on the attached legal description and sketch, has heretofore appeared on the Clackamas County zoning map Rural Residential Farm Forest 5 (RRFF5).

The Council having heard and considered all matters relevant to the application for a Zone Map Amendment, including the Development Review Board record and recommendation, finds that the application should be approved.

THEREFORE IT IS HEREBY ORDERED that The Property, consisting of approximately 8.46 acres on the on the west side of SW Stafford Road north of SW Frog Pond Lane comprising Tax Lots 100, 300 and 302, of Section 12D, as more particularly shown and described in the attached legal description and sketch, is hereby rezoned to Residential Neighborhood (RN), subject to conditions detailed in this Order’s adopting Ordinance. The foregoing rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated: This 7<sup>th</sup> day of March,  
2022.

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JULIE FITZGERALD, MAYOR

APPROVED AS TO FORM:

---

Barbara A. Jacobson, City Attorney

ATTEST:

---

Kimberly Veliz, City Recorder

Attachment: Legal Description and Sketch Depicting Land/Territory to be Rezoned



AKS ENGINEERING & FORESTRY, LLC  
 12965 SW Herman Road, Suite 100, Tualatin, OR 97062  
 P: (503) 563-6151 | www.aks-eng.com

AKS Job #5252

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

## EXHIBIT A

### Zone Change Description

A tract of land located in the Southeast One-Quarter of Section 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

Beginning at the southeast corner of Parcel II of Partition Plat 1991-043, Clackamas County Plat Records, also being on the west right-of-way line of Stafford Road (30.00 feet from centerline); thence along said west right-of-way line, South 01°40'07" West 658.82 feet to the northeast corner of Document Number 2015-020686, Clackamas County Deed Records; thence along the north line of said deed, North 88°35'24" West 365.01 feet to the northwest corner thereof; thence along the west line of said deed, South 01°41'37" West 241.00 feet to the north right-of-way line of Frogpond Lane and the City of Wilsonville city limits line; thence along said north right-of-way line and said city limits line, North 88°35'24" West 142.58 feet to the southeast corner of Document Number 2018-044491, Clackamas County Deed Records; thence leaving said city limits line along the east line of said deed, North 01°40'07" East 897.83 feet to the south line of said Parcel II; thence along said south line, South 88°48'53" East 507.71 feet to the Point of Beginning.

The above described tract of land contains 8.46 acres, more or less.

Bearings for this description are based on State Plane Grid bearing, Oregon State Plane, North Zone 3601, NAD83(2011) Epoch: 2010.0000. Distances shown are International Foot ground values.

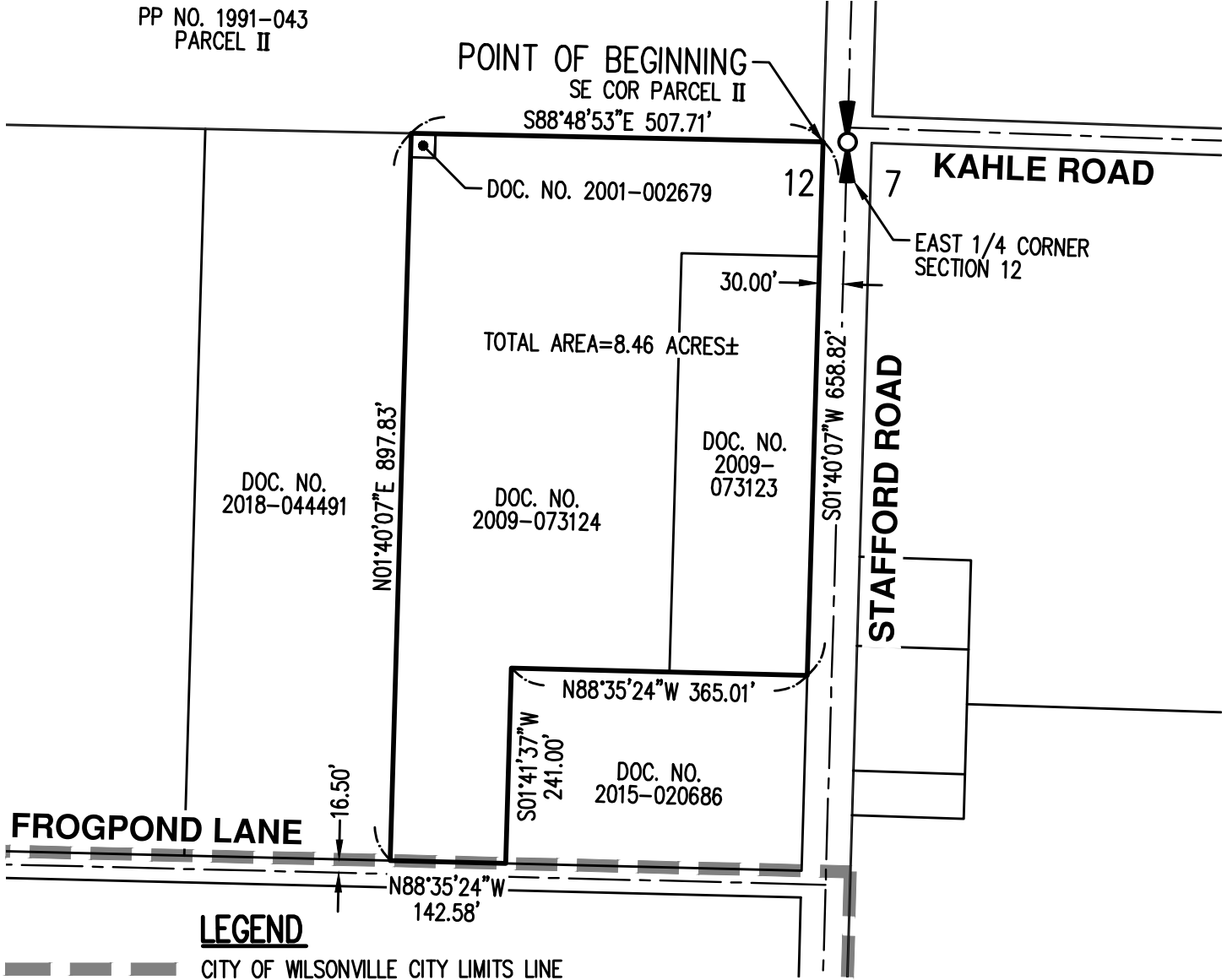
12/7/2021



OREGON  
 JANUARY 11, 2005  
 ROBERT D. RETTIG  
 60124LS  
 RENEWS: 12/31/22

# EXHIBIT B

A TRACT OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 12,  
TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,  
CLACKAMAS COUNTY, OREGON



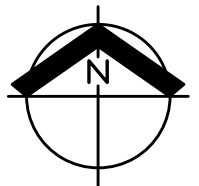
12/7/2021

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

### PREPARED FOR

VENTURE PROPERTIES, INC.  
4230 SW GALEWOOD STREET, SUITE 100  
LAKE OSWEGO, OR 97035

SCALE: 1" = 200 FEET



*[Handwritten Signature]*

OREGON  
JANUARY 11, 2005  
ROBERT D. RETTIG  
60124LS

RENEWS: 12/31/22

### ZONING CHANGE MAP

AKS ENGINEERING & FORESTRY, LLC  
12965 SW HERMAN RD, STE 100  
TUALATIN, OR 97062  
503.563.6151 WWW.AKS-ENG.COM



EXHIBIT  
**B**

DRWN: WCB  
CHKD: RDR  
AKS 166



Ordinance No. 855 Exhibit B  
Zone Map Amendment Findings

Frog Pond Crossing 29-Lot Subdivision

City Council  
Quasi-Judicial Public Hearing

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<b>Hearing Date:</b>	February 24, 2022
<b>Date of Report:</b>	February 14, 2022

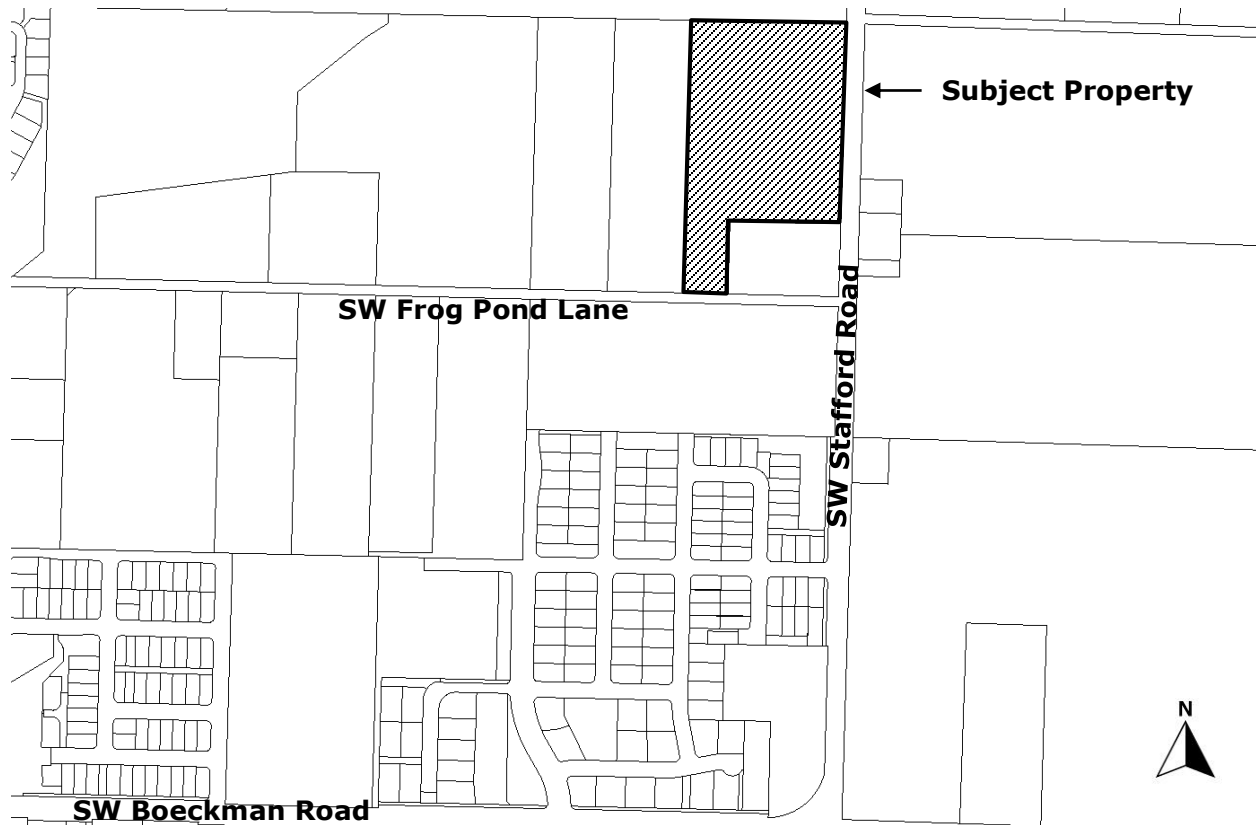
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<b>Application No.:</b>	DB21-0037 Zone Map Amendment
<b>Request:</b>	The request before the City Council is a Zone Map Amendment for approximately 8.46 acres.
<b>Location:</b>	27227 SW Stafford Road. The property is specifically known as TLID 100, 300, and 302, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.
<b>Owners:</b>	Chaney Paul C Co-Trustee
<b>Applicant:</b>	Venture Properties, Inc. (Contact: Kelly Ritz)
<b>Applicant's Rep.:</b>	AKS Engineering & Forestry, LLC. (Contact: Mimi Doukas, AICP, RLA)
<b>Comprehensive Plan Designation:</b>	Residential Neighborhood
<b>Zone Map Classification (Current):</b>	RRFF 5 (Rural Residential Farm Forest 5-Acre)
<b>Zone Map Classification (Proposed):</b>	RN (Residential Neighborhood)
<b>Staff Reviewers:</b>	Philip Bradford, Associate Planner
<b>Staff/DRB Recommendation:</b>	<u>Adopt</u> the requested Zone Map Amendment.

**Applicable Review Criteria:**

<b><u>Development Code:</u></b>	
Section 4.110	Zones
Section 4.127	Residential Neighborhood (RN) Zone
Section 4.197	Zone Changes
<b><u>Comprehensive Plan and Sub-elements:</u></b>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Area of Special Concern L	
Transportation Systems Plan	
Frog Pond West Master Plan	
<b><u>Regional and State Law and Planning Documents</u></b>	
Statewide Planning Goals	

**Vicinity Map**





**Summary:**

## Zone Map Amendment (DB21-0037)

Concurrent with the adoption of the Frog Pond West Master Plan, the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area. The applicant proposes applying the RN Zone to the subject property consistent with this intention.

**Conclusion and Conditions of Approval:**

Staff and the Development Review Board recommend approval with the following condition:

## Request: DB21-0037 Zone Map Amendment

This action is contingent upon annexation of the subject properties to the City of Wilsonville (DB21-0036).

**Findings:**

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

### General Information

## Application Procedures-In General

## Section 4.008

The City's processing of the application is in accordance with the applicable general procedures of this Section.

## Initiating Application

## Section 4.009

The owners of all property included in the application signed the application forms. Venture Properties, Inc. initiated the application with their approval.

## Request: DB21-0037 Zone Map Amendment

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### Comprehensive Plan

“Residential Neighborhood” on Comprehensive Plan Map, Purpose of “Residential Neighborhood” Designation

Policy 4.1.7.a.

**B1.** The subject area has a Comprehensive Plan Map Designation of “Residential Neighborhood”. The designation enables development of the site consistent with the purpose of this designation as set forth in the legislatively adopted Frog Pond West Master Plan, resulting in an attractive, cohesive and connected residential neighborhood with high quality architecture and community design, transportation choices, and preserved and enhanced natural resources.

“Residential Neighborhood” Zone Applied Consistent with Comprehensive Plan Implementation Measure 4.1.7.c.

**B2.** The applicant requests the subject area receive the zoning designation of Residential Neighborhood (RN) as required for areas with the Comprehensive Plan Map Designation of “Residential Neighborhood”.

Safe, Convenient, Healthful, and Attractive Places to Live  
Implementation Measure 4.1.4.c.

**B3.** The proposed RN zoning allows the use of planned developments consistent with the legislatively adopted Frog Pond West Master Plan, enabling development of safe, convenient, healthful, and attractive places to live.

Residential Density  
Implementation Measure 4.1.4.u.

**B4.** The subject area will be zoned RN allowing application of the adopted residential densities of the Frog Pond West Master Plan. The sub-districts established in the Frog Pond West Master Plan govern the allowed residential densities. See also Request C, Stage I Preliminary Plan.

### Development Code

Zoning Consistent with Comprehensive Plan  
Section 4.029

**B5.** The applicant requests a zone change concurrently with a Stage I Preliminary Plan, Stage II Final Plan, and other related development approvals. The proposed zoning designation of RN is consistent with the Comprehensive Plan “Residential Neighborhood” designation. See also Finding B2 above.

**Base Zones**

Subsection 4.110 (.01)

**B6.** The requested zoning designation of RN is among the base zones identified in this subsection.

**Residential Neighborhood (RN) Zone**

**Purpose of the Residential Neighborhood (RN) Zone**

Subsection 4.127 (.01)

**B7.** The request to apply the RN Zone on lands designated “Residential Neighborhood” on the Comprehensive Plan Map enables a planned development process implementing the “Residential Neighborhood” policies and implementation measures of the Comprehensive Plan and the Frog Pond West Master Plan.

**Permitted Uses in the Residential Neighborhood (RN) Zone**

Subsection 4.127 (.02)

**B8.** Concurrent with the zone map amendment request the applicant requests approval of a twenty nine (29)-lot residential subdivision. Single-family dwelling units, Duplex, Triplex, Quadplex, Cluster Housing, Cohousing, Cluster Housing (Frog Pond West Master Plan), open space, and public and private parks are among the permitted uses in the RN Zone.

**Residential Neighborhood (RN) Zone Sub-districts and Residential Density**

Subsection 4.127 (.05) and (.06)

**B9.** The proposed uses, number of lots, preservation of open space, and general block and street layout are generally consistent with the Frog Pond West Master Plan. Specifically in regards to residential land use lot count, the proposed Stage I area includes portions of medium lot Sub-districts 11 and small lot Sub district 10. The following table summarizes how the proposed residential units in each Sub-district are consistent with the Master Plan recommendations. The configuration of lots as proposed will allow for buildout of these sub-districts consistent with the Master Plan recommendations.

Subdistrict and Land Use Designation	Gross Site Area (ac)	Percent of Sub-district	Established DU range for Sub-district	DU Range for Site	Proposed DU	Total DU within Sub-district - Approved and Proposed
10 – R-5	.8	14%	30-38	4-5	5	0 Approved 5 Proposed 5 Total
11 – R-7	5.2	41%	46-58	19-24	24	0 Approved 24 Proposed 24 Total
Total	6			23-29	29	

**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 399**

**A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF AN ANNEXATION OF APPROXIMATELY 9.74 ACRES AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) FOR APPROXIMATELY 8.46 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF STAFFORD ROAD NORTH OF SW FROG POND LANE, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE PLAN, WAIVER TO OPEN SPACE LOCATION AND WAIVER TO MINIMUM STREET FRONTAGE FOR A 29-LOT RESIDENTIAL SUBDIVISION. THE SUBJECT SITE IS LOCATED AT 27227 SW STAFFORD ROAD ON TAX LOTS 100, 300, AND 302 AND A PORTION OF STAFFORD ROAD RIGHT-OF-WAY, SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. AKS ENGINEERING & FORESTRY, LLC – REPRESENTATIVE FOR VENTURE PROPERTIES, LLC – APPLICANT AND CHANEY PAUL C CO-TRUSTEE – OWNER.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated February 7, 2022, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on February 14, 2022, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated February 7, 2022, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

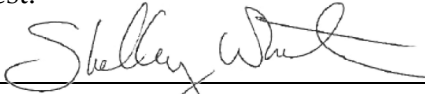
DB21-0036 through DB21-0044; Annexation, Zone Map Amendment, Stage I Preliminary Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Class C Tree Plan, Waiver – Open Space Location, and Waiver – Minimum Street Frontage.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 14<sup>th</sup> day of February, 2022 and filed with the Planning Administrative Assistant on February 15, 2022. This resolution is final on the 15th calendar day after the postmarked date of the

written notice of decision per WC Sec 4.022(.09) unless appealed per WC Sec 4.022(.02) or called up for review by the council in accordance with WC Sec 4.022(.03).

  
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Jean Svadlenka, Chair – Panel A  
Wilsonville Development Review Board

Attest:

  
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Shelley White, Planning Administrative Assistant